



STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

Application Number: LU/16538 (TP511/2023)

Our File Reference Number: Erf 1545, Stellenbosch

Your Reference Number:

Enquiries: Ulrich von Molendorff

Contact No: 021 808 8682

Email address: Ulrich.Vonmolendorff@stellenbosch.gov.za

PER E-MAIL: [REDACTED]

Sir/Madam

APPLICATION FOR A DEPARTURE ON ERF 1545, STELLENBOSCH

1. The above application refers.
2. The duly authorised decision maker has decided on the above application as follows:
 - 2.1 That the application for a permanent departure in terms of Section 15(2)(b) of the Stellenbosch Municipal Land Use Planning By-law 2023 to relax the permissible height of a dwelling house to be three (3) storeys in lieu of two (2) storeys on Erf 1545, Stellenbosch.
 - 2.2 That the application for a permanent departure in terms of Section 15(2)(b) of the Stellenbosch Municipal Land Use Planning By-law 2023 in order to relax the western common building line from 2.5m to 1m for the proposed dwelling house on Erf 1545, Stellenbosch.
- BE APPROVED** in terms of Section 60 of the said Bylaw and subject to conditions of approval.

 3. The approval is subject to the following conditions imposed in terms of Section 66 of said Bylaw:
 - 3.1 The approval only applies to the proposed departure under consideration and shall not be construed as authority to depart from any other legal prescriptions or requirements from Council or other legislation or Bylaws or Regulations that may be applicable.
 - 3.2 The approval granted shall not exempt the applicant from complying with any other legal prescriptions or requirements that might have a bearing on the proposed use.

3.3 Building plans must be generally in accordance with the roof site plan as referenced (LA)101 revision 3, drawn by OC, dated 11/12/2023, floor layout plans (ground, first floor and second storey) as referenced (LA)102 revision 3, drawn by OC, dated 12/12/2023, elevations as referenced (LA)200 revision 3, drawn by OC, dated 12/12/2023 and attached as **Annexure B**.

3.4 Conditions imposed by the Engineering Services Department as contained in the memorandum dated 18 March 2024 and attached as **Annexure D**, be complied with.

4. The reasons for the above decision are as follows:

4.1 The proposal will not negatively impact the character of the property and the surrounding area.

5. You are hereby informed in terms of section 79(2) of the Stellenbosch Municipal Land Use Planning Bylaw of your right to appeal the above decision to the Appeal Authority within 21 days from the date of notification of the above decision. Please note that no late appeals or an extension of time for the submission of appeals are permitted in terms of Section 80(1)(a) of the said By-Law.

6. Appeals must be submitted with the prescribed information to satisfy the requirements of Section 80(2) of the said By-law, failing which the appeal will be invalid in terms of Section 81(1)(b) of the said By-Law. The following prescribed information is accordingly required:

a. The personal particulars of the Appellant, including:

a) First names and surname

b) ID number

c) Company of Legal person's name (if applicable)

d) Physical Address

e) Contact details, including a Cell number and E-Mail address

7. Reference to this correspondence and the relevant property details on which the appeal is submitted.

7.1 The grounds of the appeal which may include the following grounds:

a) that the administrative action was not procedurally fair as contemplated in the Promotion of Administrative Justice Act, 2000 (Act 3 of 2000)

b) grounds relating to the merits of the land development or land use application on which the appellant believes the authorised decision maker erred in coming to the conclusion it did.

7.2 Whether the appeal is lodged against the whole decision or a part of the decision.

7.3 If the appeal is lodged against a part of the decision, a description of the part.

7.4 If the appeal is lodged against a condition of approval, a description of the condition.

7.5 The factual or legal findings that the appellant relies on. The relief sought by the appellant.

7.6 Any issue that the appellant wishes the Appeal Authority to consider in making its decision.

7.7 That the appeal includes the following declaration by the Appellant:

- a) The Appellant confirms that the information contained in the subject appeal and accompanied information and documentation is complete and correct
- b) That the Appellant is aware that it is an offence in terms of Section 86(1)(d) of the said By-Law to supply particulars, information or answers in an appeal against a decision on an application, or in any documentation or representation related to an appeal, knowing it to be false, incorrect or misleading or not believing them to be correct.

8. Appeals must be addressed to the Municipal Manager and submitted to his/ her designated official by means of e-mail at the following address:
landuse.appeals@ Stellenbosch.gov.za

9. Any party (applicant or other) who lodges an appeal must pay the applicable appeal fee in terms of the approved municipal tariffs and submit the proof of payment together with the appeal. The **LU** Reference number on this correspondence, or the applicable Erf/ Farm Number must be used as the reference for the payment of the appeal fee.

10. The approved tariff structure and the banking details for the General Account can be accessed and viewed on the municipal website. For any enquiries the office can be contacted at landuse.appeals@ Stellenbosch.gov.za

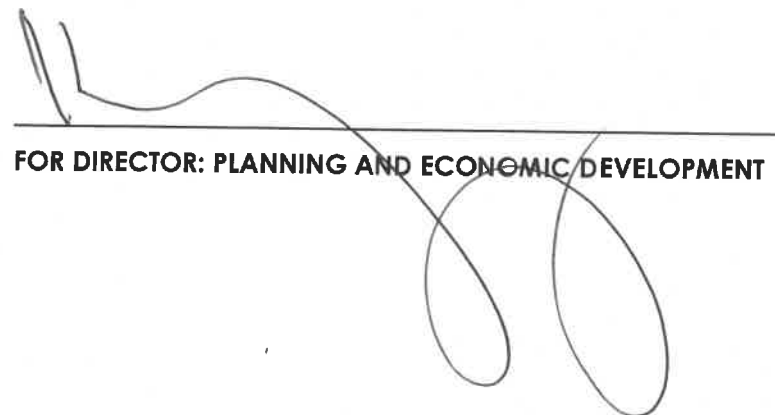
11. An applicant who lodges an appeal must also adhere to the following requirements stipulated in terms of section 80(3) to (7) of the said By-law:

- (a) Simultaneously serve the appeal on any person who commented on the application concerned and any other person as the municipality may determine.
- (b) The notice by the applicant must invite persons to comment on the appeal within 21 days from date of notification of the appeal.
- (c) The notice must be served in accordance with section 35 of the said legislation and in accordance with the prescripts or such additional requirements as may be determined by the Municipality.
- (d) Proof of serving the notification must be submitted to the Municipality at the above E-mail address within 14 days of serving the notification.

12. Kindly note that no appeal right exists in terms of Section 62 of the Local Government Municipal Systems Act, No 32 of 2000.

13. Kindly note the above decision in the case of any approval, is suspended, and may therefore not be acted on, until such time as the period for lodging appeals has lapsed, any appeal has been finalised and you've been advised accordingly.

Yours faithfully



A handwritten signature in black ink, consisting of a series of loops and a long horizontal stroke, positioned above a solid horizontal line.

FOR DIRECTOR: PLANNING AND ECONOMIC DEVELOPMENT

21/5/2024
DATE:



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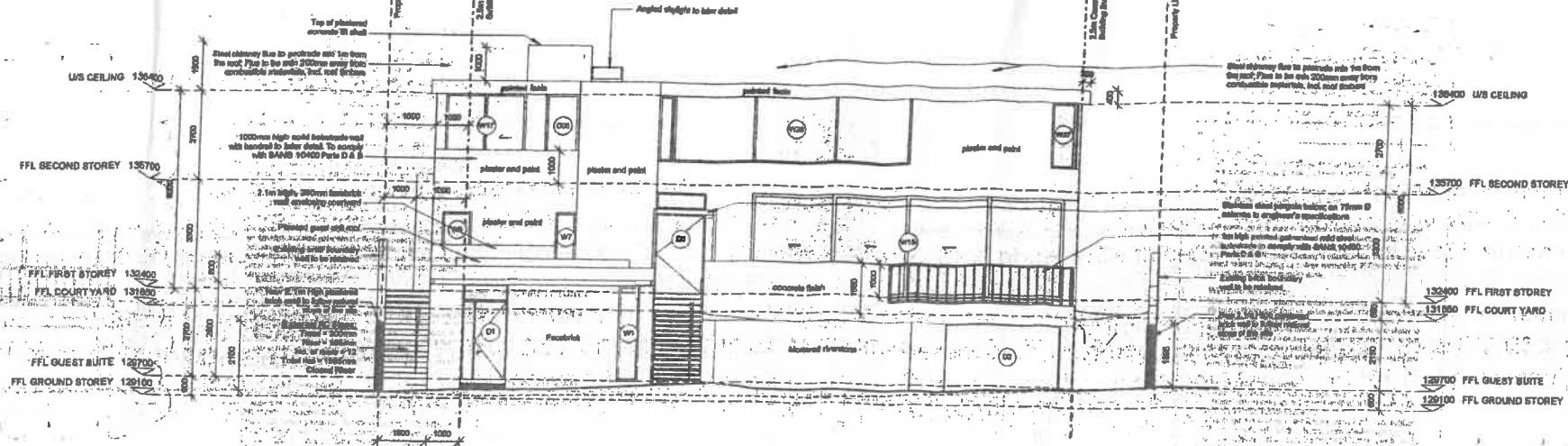
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ANNEXURE B

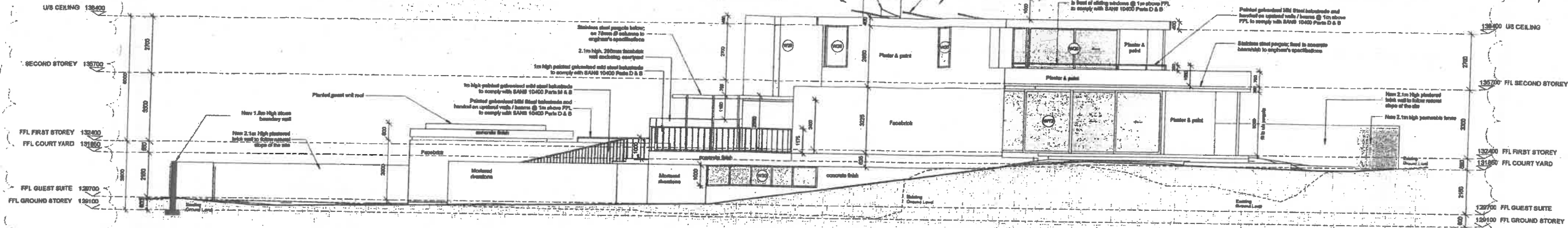
SITE PLAN / FLOOR LAYOUT PLAN



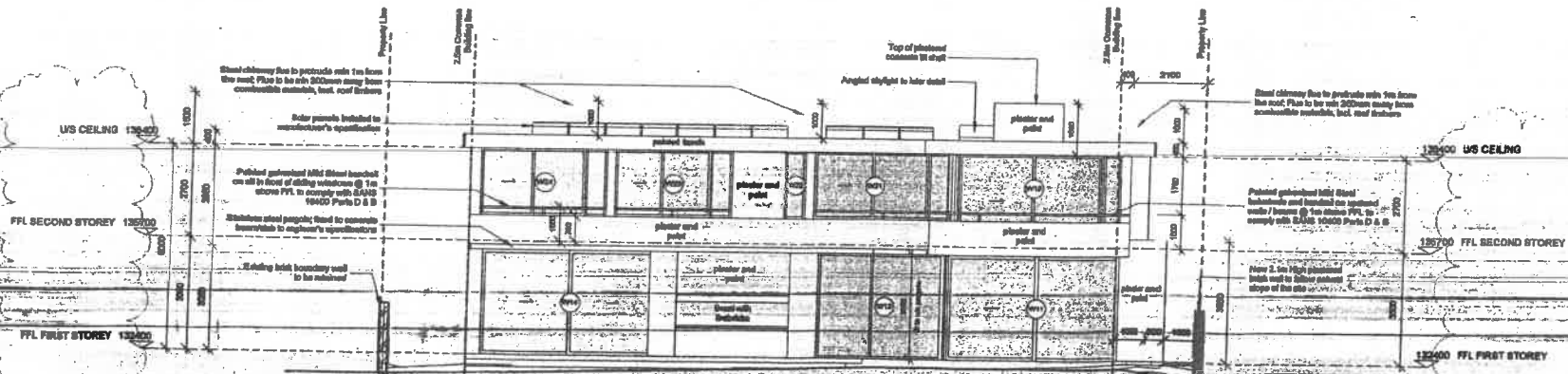
SOUTH ELEVATION
1:100



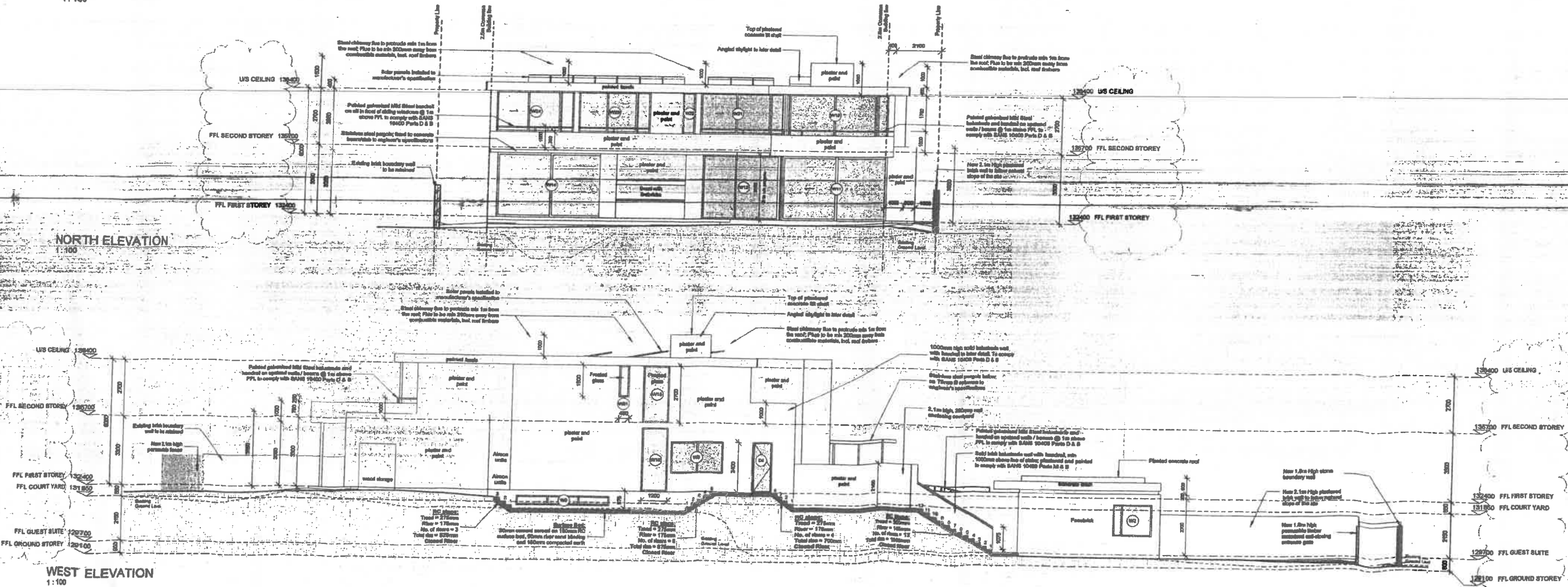
EAST ELEVATION
1:100



NORTH ELEVATION
1:100



WEST ELEVATION
1:100



The design on this drawing is copyright and remains the property of the architect.
All work to be carried out in accordance with the Building Regulations and the Building Act 2004.
Figured dimensions to be taken in preference to reading dimensions.
The contractor and sub-contractors must check all relevant details and dimensions before commencing work on site or manufacture of components. Any discrepancies must be reported to the architect immediately.

- General Notes:**
 - All work, materials and finishes to be in accordance with the Building Regulations and the Building Act 2004.
 - All work to be carried out in accordance with the Building Regulations and the Building Act 2004.
- Materials and finishes:**
 - All work to be carried out in accordance with the Building Regulations and the Building Act 2004.
 - All work to be carried out in accordance with the Building Regulations and the Building Act 2004.
- Structural and foundations:**
 - All work to be carried out in accordance with the Building Regulations and the Building Act 2004.
 - All work to be carried out in accordance with the Building Regulations and the Building Act 2004.
- Roofing and cladding:**
 - All work to be carried out in accordance with the Building Regulations and the Building Act 2004.
 - All work to be carried out in accordance with the Building Regulations and the Building Act 2004.
- Lighting and ventilation:**
 - All work to be carried out in accordance with the Building Regulations and the Building Act 2004.
 - All work to be carried out in accordance with the Building Regulations and the Building Act 2004.
- Water supply and drainage:**
 - All work to be carried out in accordance with the Building Regulations and the Building Act 2004.
 - All work to be carried out in accordance with the Building Regulations and the Building Act 2004.
- Fire protection:**
 - All work to be carried out in accordance with the Building Regulations and the Building Act 2004.
 - All work to be carried out in accordance with the Building Regulations and the Building Act 2004.
- Other notes:**
 - All work to be carried out in accordance with the Building Regulations and the Building Act 2004.
 - All work to be carried out in accordance with the Building Regulations and the Building Act 2004.

AREA LEGEND

Basement	137 m²
Ground Storey	319 m²
First Storey	204 m²
Second Storey	188 m²
Roof	188 m²
Client	See Title
Signature	
Architect	S. WOODWARD
Signature	
Neighbour	ERF 1544
Neighbour	ERF 1546

3	LUMS submission 2	2023-12-11
2	LUMS submission 1	2023-08-18
1	Local authority submission 1	2023-08-14
No.	Description	Date

REVISION SCHEDULE

SITE INFO

PROJECT
31 JONKERSHOEKWEG

DESIGNED BY
OPEN CITY

Elevations
1:100 @ A1

DATE 2023/12/12 09:08:39
DRAWING NO. (LA)200
DRAWN BY: OC

REVISION REV. 3

LUMS SUBMISSION



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ANNEXURE D

COMMENTS FROM ENGINEERING SERVICES



STELLENBOSCH MUNICIPALITY
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MEMORANDUM

DIREKTORAAT: INFRASTRUKTUURDIENSTE
DIRECTORATE: INFRASTRUCTURE SERVICES

CIVIL ENGINEERING SERVICES

To ▫ Aan: Director: Planning + Economic Development
Att Aandag: Nicole Katts
From ▫ Van: Technician: Development (Infrastructure Services)
Author ▫ Skrywer: Siyanda Sodo
Date ▫ Datum: 18 March 2024
Our Ref ▫ Ons Verw: Civil LU 2666
Town Planning Ref: LU/16538
Re ▫ Insake: Erf 1545, Stellenbosch: Application for permanent departure in terms of section 15(2)(b) of the Stellenbosch Municipality Land Use Planning By-law, 2023 on Erf 1545, Stellenbosch to allow the following: - relaxation of the western common building line (adjoining Erf 1544) from 2.5m to 1m for the construction of a dwelling house.- relaxation of the dwelling house height to exceed the permissible number of storeys from 2 storeys to 3 storeys.

The application is recommended for approval, subject to the following conditions:

1. Civil Engineering services

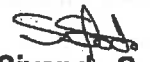
1.1 Water

The existing water connection must be utilized for the proposed development: no upgrade in the size of the connection will be allowed, unless agreed to by our Water Services Department.

Ktutus

1.2 Sewer

The existing sewer connection must be utilized for the proposed development: no upgrade in the size of the connection will be allowed, unless agreed to by our Water and Sewer Service Department.


Siyanda Sodo
Technician: Development (Infrastructure Services)

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