



STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

Application Number: LU/16715 (TP646/2024)

Our File Reference Number: Erf 3413, 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 DEPARTURE IN TERMS OF SECTION 15(2)(b) OF THE STELLENBOSCH MUNICIPAL LAND USE PLANNING BYLAW, 2023: ERF NO. 3413 MOSTERTSDRIFT, 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 is made in terms of Section 15(2)(b) of the Stellenbosch Municipal Land Use Planning Bylaw 2023, for a departure to relax the common building line from 2.5m to 1.4 to accommodate the proposed additions and alterations on the ground and first floor to Section 2 (13 A) of Building 1 on Erf 3413, Mostertsdrift, Stellenbosch.

BE APPROVED in terms of Section 60 of the said Bylaw and subject to conditions of approval.

2.2 The approval is subject to the following conditions imposed in terms of Section 66 of said Bylaw:

2.2.1 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.

2.2.2 The development must be undertaken generally in accordance with the building plan Drawing No. A1 02 – to- A1 03, Drawn by: Piet Dekker Architects, Dated 2023/10/12, attached as **Annexure B**.

2.2.3 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.

2.2.4 The approval granted shall not be contradictory to any other legislation which has a bearing on the use of the property and that should any other legislation be applicable and be more restrictive then the most restrictive conditions will apply.

2.2.5 Building plans must be generally per the building plan Drawing No. A1 02 – to- A1 03, Drawn by Piet Dekker Architects , Dated 2023/10/12, attached as **Annexure B**.

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

3.1 The scale and nature of the proposed structure will not compromise the existing character of the surrounding landscape.

3.2 The property is located in a Historic area and is older than 60 years, the application was circulated to the Heritage Western Cape and they have supported the application.

4. 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.

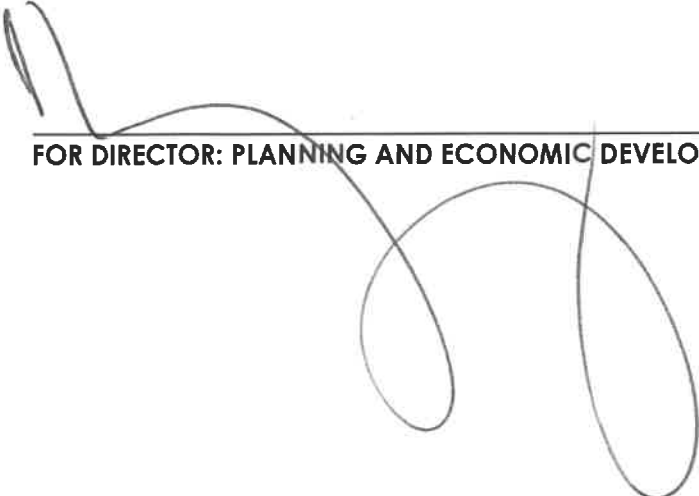
5. Appeals must be submitted by completing the required form with the prescribed information to satisfy the requirements of Section 80(2) of the said By-law, failing which the appeal will be invalid in terms of Section 81(1)(b) of the said By-Law.

6. **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**

7. 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.

8. The appeal form and 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 or 021- 808 8684.
9. 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.
10. Kindly note that no appeal right exists in terms of Section 62 of the Local Government Municipal Systems Act, No 32 of 2000.
11. 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

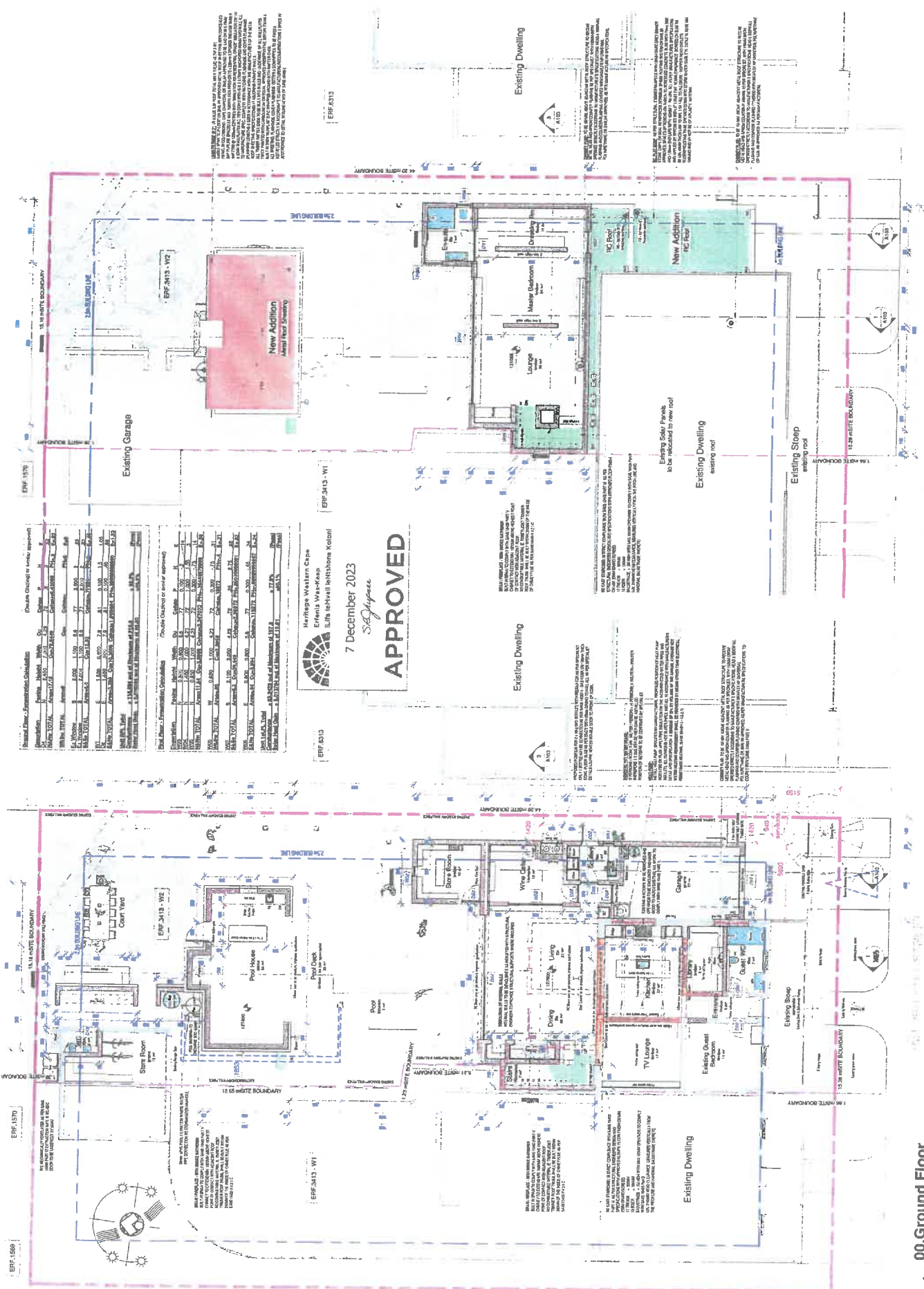


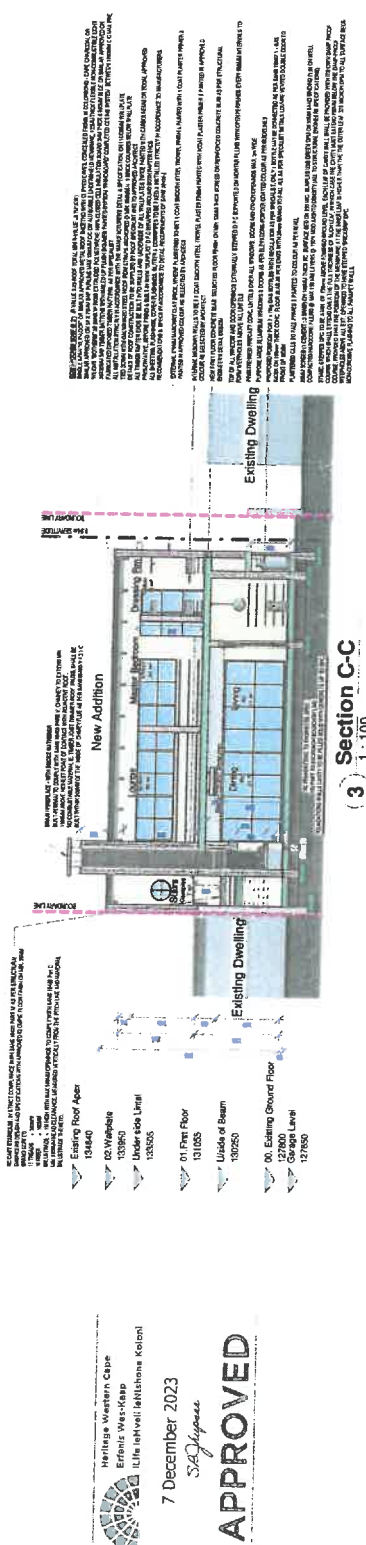
FOR DIRECTOR: PLANNING AND ECONOMIC DEVELOPMENT

17/7/2024
DATE

ALLE TEGEVENDE EN HOOGTEKENINGEN NIET
NAGERKEN EN VERVOLGENDE WOORD WOORD
MATERIAAL BESTEL EN ENKELE OUDERKE DEEN
WOORD VERVOLLEN MOET DIERSELK OUDERKE
HOOGTEKENINGEN NIET HOOGTEKENINGEN
HOOGTEKENINGEN NIET HOOGTEKENINGEN
HOOGTEKENINGEN NIET HOOGTEKENINGEN
TOEGEHOOREN EN OUDERKE.

ALL DRAWINGS AND DIMENSIONS MUST BE
CORRELATED BEFORE ANY MATERIALS ARE
ORDERED FOR BUILDING WORK. COMMERCIAL
DRAWINGS ARE NOT TO BE USED FOR THE
ATTENTION OF THE ARCHITECT. MATERIALS
COPYRIGHT IS RESERVED ON ALL DRAWINGS AND
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