



STELLENBOSCH

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MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

Application Number: LU/ 16063 (TP463/2023)

Our File Reference Number: Erf 1783, 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 1783, 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 Municipality Land Use Planning By-Law, 2023 to permit the relaxation of the common building line to be 3.3m in lieu 5m to accommodate the proposed additions on Erf 1783, Stellenbosch

BE APPROVED in terms of Section 60 of the said By-Law and subject to conditions of approval.
 - 2.2 The approval is subject to the following conditions imposed in terms of Section 66 of said By-Law:
 - 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 By-Laws or Regulations that may be applicable.
 - 2.2.2 The development must be undertaken generally in accordance with the Site Development Plan as referenced on drawing No. (00-01) drawn by Neo Architects, dated 20 July 2023 and 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 Building plans must be generally in accordance with the Site Development Plan referenced drawing No. (00-01), Plans & Section (00-02) and Elevations (00-03) drawn by Neo Architects, dated 20 July 2023, see **Annexure B**.

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

3.1.1 The encroachment of the building line does not undermine the character of the area due to the use and scale thereof.

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 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

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

6.1 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.

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

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

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

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

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

6.7 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.

7. 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
8. 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.
9. 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
10. 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.
11. Kindly note that no appeal right exists in terms of Section 62 of the Local Government Municipal Systems Act, No 32 of 2000.
12. 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

22/4/2024
DATE:

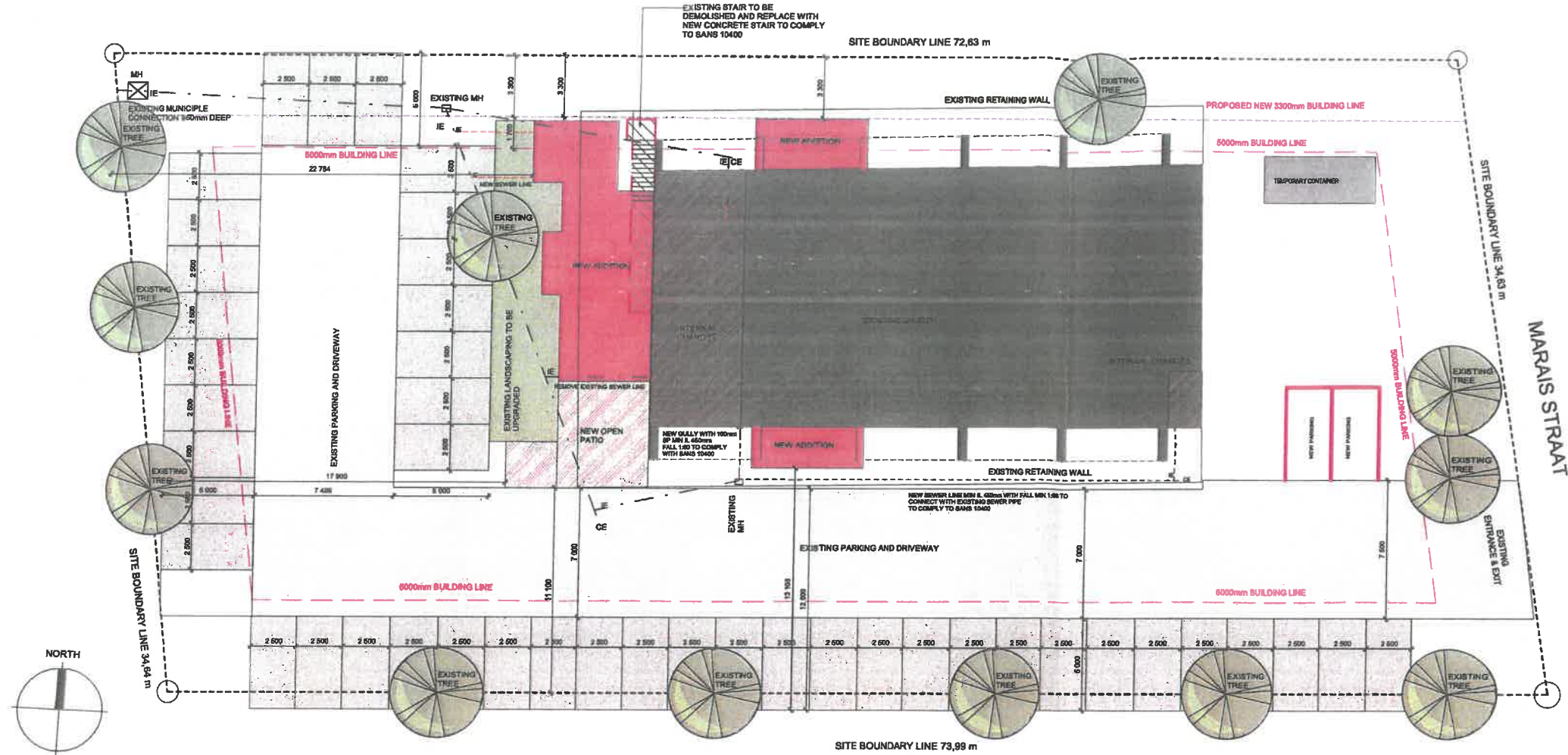


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ANNEXURE B

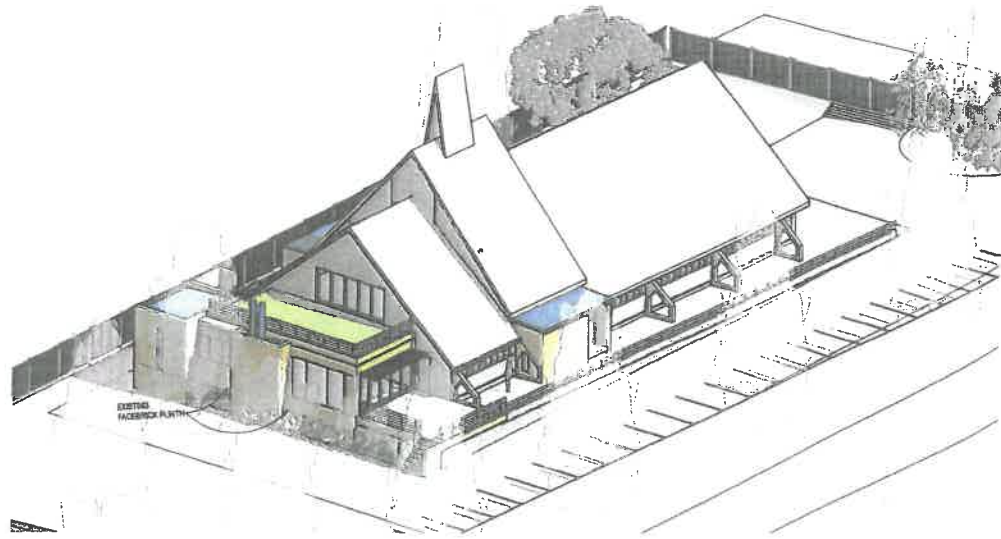
2 SITE DEVELOPMENT PLAN
Scale = 1 : 150



AREA SCHEDULE	PERMISSIBLE
EXISTING GROUND FLOOR	429 m²
EXISTING FIRST FLOOR	43 m²
TOTAL EXISTING	478 m²
ADDITIONS GROUND FLOOR	102 m²
ADDITIONS FIRST FLOOR (OPEN/DECK)	51 m²
TOTAL ADDITION	153 m²
TOTAL	631 m²

NEW AREAS WITH PARKING REQUIREMENTS	PERMISSIBLE
FAMILY ROOM 1 DAY/4 SEATS	8 m² (4 SEATS)
ORATORIAL SPACE	8 m²
STORE ROOM	18 m²
ALLUCTIONS	18 m²
MULTI-FUNCTION SPACE	52 m²
NEW STAIR (TO COMPLY TO FIRE)	12 m²
TOTAL GROUND FLOOR	102 m²
NEW OPEN PATIO	51 m²
TOTAL FIRST FLOOR	51 m²
TOTAL ADDITIONS	153 m²

DEVELOPMENT DATA	PERMISSIBLE	ACTUAL
SITE	SRP 1763	COMMUNITY ZONE
AREA	2518 m²	
COVERAGE	80%	17%
HEIGHT	3 STOREYS	2 STOREYS
BUILDING LINES	8 m	3.3 m
PARKING		
CHURCH - 0.4 BAYS/SEAT OR 40 BAYS/1000	EXISTING PARKING 30 BAYS	48 BAYS PROVIDED ALL EXISTING BAYS TO BE RETAINED



GENERAL NOTES

THE FOLLOWING NOTES ARE TO BE READ IN CONJUNCTION WITH THE CONSTRUCTION DOCUMENTS:

- ALL CONSTRUCTION DRAWINGS TO BE READ IN CONJUNCTION WITH THE PERFORMANCE SPECIFICATION DOCUMENT.
- Architect & Engineer's drawings to be read in conjunction with each other.
- All construction is to take place in strict accordance with SANS 10400 standard codes of practice.
- All dimensions to be checked on site. No work is to be taken in hand before measurements are checked on site.
- Do not scale plans.
- Setting out: setting out is the responsibility of the main contractor. A "setting out certificate" by a registered professional land surveyor is to be issued to the principal agent by the main contractor. This certificate should state that the set out was done with coordinates. The land surveyor should also be present at the site handover to indicate the set points.
- Earthling and lightning protection. Please note on all projects where there is no electrical engineer at the time of tendering, the quantity surveyor should include a provisional amount in the bill of quantities for earthling and lightning protection of your building. Any discrepancy between engineering and architectural drawings or specifications is to be reported to the architect immediately.
- Appointment for setting to be done before foundations have been cast. The appointment should be done right after site handover.
- Note when casting without an electrical engineer: please make sure that the electrician will install the surge protection at the Distribution Boards in accordance with the latest SANS codes of practice 10195 (2010) and 10119 (2011) in conjunction with SANS 62305-1-0-3-4: 2011 and SANS 62305-1-0-3-4: 2011.
- A minimum of 2 garden taps to be provided for the building unless otherwise specified, by the architect.
- Any dimensional error or incorrect or incomplete specification is to be reported to the architect immediately.
- Any discrepancy between the drawings and the bill of quantities must be reported to the architect immediately.
- All construction to take place in strict accordance with the relevant municipal regulations.
- No failure to be taken in hand without prior approval of a sample of adequate size.
- All subcontractor specialist's drawings to be provided and approved by architect before manufacture commences.
- All materials to be in strict accordance with the manufacturer's specifications.
- Contractor must verify all levels and dimensions on site before commencing work or making any shop drawings. All shop drawings are to be approved by the architect before any manufacturing takes place.
- Any discrepancies and or errors to be reported to the architect.
- Soil roof insulation (insulation) to be installed under rafters to create a void between roof decking and roof structure. 75-135mm ISOVER Aerogel glass wool to be installed between purlin substructure or specified alternatives.
- Concrete roof insulation (insulation) to be installed above water-proofing membranes (unless otherwise specified).

DESIGN RESPONSIBILITY:

- NED welcomes practical suggestions from the Contractor. The Contractor may, however, not assume design responsibility without the prior written approval of the Architect.
- Any variation order resulting from the above is to be documented by means of an Architect's instruction.
- In all aspects pertaining to structure the Engineer's specifications take precedence. However, any discrepancies with the Architect's drawings must be reported.
- It is assumed that an experienced contractor will know when drawings are defective and therefore has an obligation to raise concerns.

NEO ARCHITECTS - SPECIFICATIONS & STANDARDS:
(GENERAL NOTES & DISCLAIMERS)

HOA & COUNCIL SUBMISSION

QUANTITY SURVEYOR	STRUCTURAL ENGINEER
MECHANICAL ENGINEER	CIVIL
ELECTRICAL ENGINEER	CONTRACTOR

REVISIONS				
No.	Date	Issued to	Description	
A	2023 06 01	Town planner	Issued for council	
B	2023 07 20	Town planner	Issued for council	

NEO ARCHITECTS

client: JANNIE KRUGER
workstage: WORKSTAGE 1-3
project title: GEREFORMEERDE KERK
STELLENBOSCH

drawing name: SITE DEVELOPMENT PLAN project no.: S004-23
date: 2023/07/20 scale: A4 drawn: JD checked: WV dng no.: 00-01 rev.: B



08:32:39	AS	JD	WV	GU-GS	B
Indicated					

HOA & COUNCIL SUBMISSION

QUANTITY SURVEYOR	STRUCTURAL ENGINEER
MECHANICAL ENGINEER	CIVIL
ELECTRICAL ENGINEER	CONTRACTOR

REVISIONS

[illegible]

client	JANNIE KRUGER					
workstage	WORKSTAGE 1-3					
project title	GEREFORMEERDE KERK STELLENBOSCH					
drawing name	ELEVATIONS					project no. S004-23
date 2023/07/20 08:22:29	scale A6	drawn JD	checked WV	drug no. 00-65	rev. B	

