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Application Number: LU/16719(TP337/2023)
Our File Reference Number: Erf 525, Kylemore
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 525, KYLEMORE

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 the relaxation of the building lines and coverage on Erf 525, Kylemore in terms of section 15(2)(b) of the Stellenbosch Zoning Scheme Bylaw, 2023, to permit additions to the existing dwelling house, by allowing the pool to be 0m in lieu of 2m from the street building line, living room to be 1.5m in lieu of 3m from common building line and to increase the coverage to 51.96% in lieu of 50%

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 departures 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 Building Plan as referenced on drawing No. 22-124, drawn by Red Atlantic Architecture, dated 27/05/2024 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 Building Plan referenced drawing No. 22-124, drawn by Red Atlantic Architecture, dated 27/05/2024, see **Annexure B.**

2.3 The reasons for the above decision are as follows:

2.3.1 The departure from the Capolavoro Mountain Estate development rules will not adversely affect any of the surrounding properties or the character of the Estate.

2.3.2 The proposal is supported by the Capolavoro Estates HOA and the affected surrounding landowners.

3. 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.

4. 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.

5. **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**

6. 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.

7. 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.

8. 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.

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

10. 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

30/9/2024
DATE

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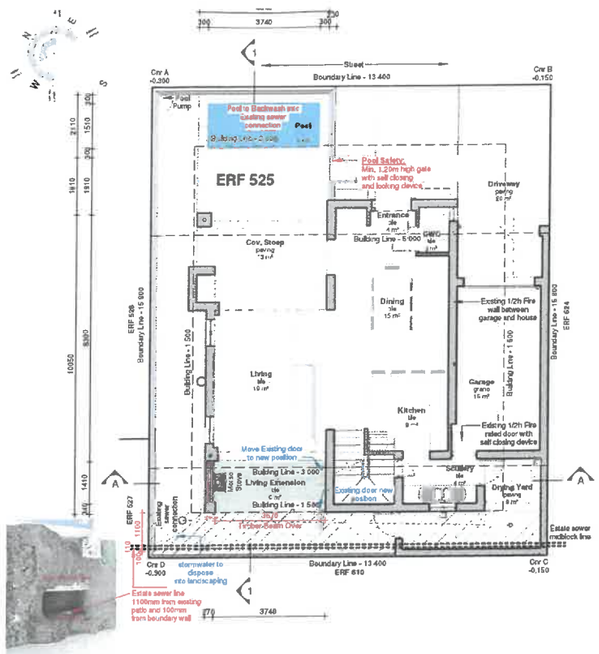
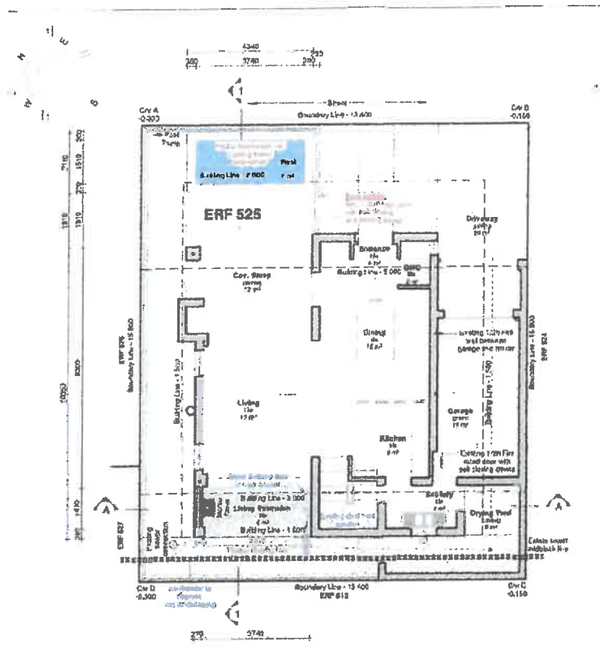
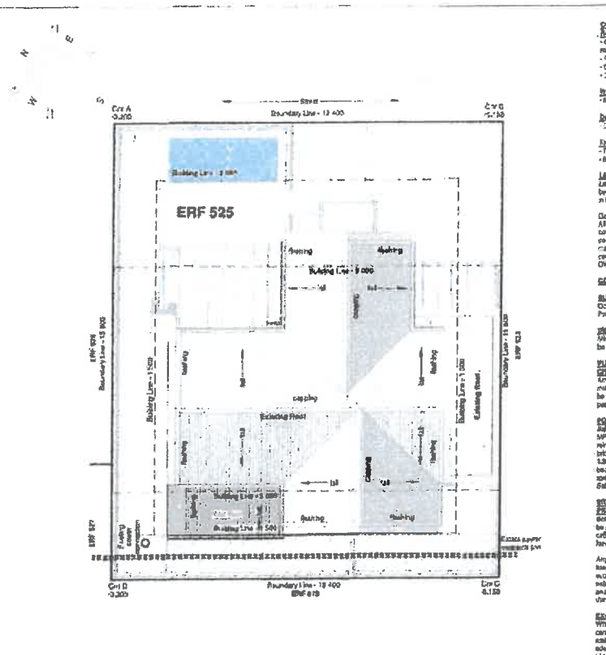
ANNEXURE B

SITE DEVELOPMENT PLAN

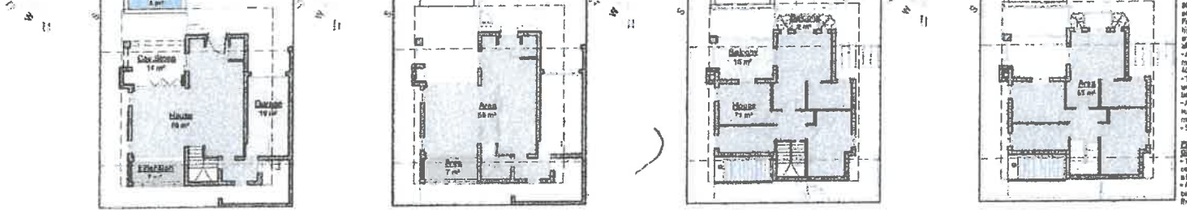

Street
Boundary Line - 13 400
Cnr A -0.300
Cnr B -0.150
Cnr C -0.150
Cnr D -0.300
ERF 525
Pool Safety: Min. 1.2m high gate with self closing and locking device
Pool Pump
Entrance
Building Line - 5 000
Cov. Steep paving
Driveway paving
Existing 1/2h Fire wall between garage and house
Dining
Living
Kitchen
Garage
Existing 1/2h Fire rated door with self closing device
Scullery
Drying Yard paving
Move Existing door to new position
Building Line - 3 000
Living Extension
Existing door new position
Building Line - 1 500
Existing Concrete Driveway
Existing Concrete Walkway
Existing Concrete Stoep
Existing Concrete Pool Surround
Existing Concrete Pool Coping
Existing Concrete Pool Wall
Existing Concrete Pool Floor
Existing Concrete Pool Steps
Existing Concrete Pool Ledge
Existing Concrete Pool Edge
Existing Concrete Pool Base
Existing Concrete Pool Bottom
Existing Concrete Pool Side
Existing Concrete Pool Corner
Existing Concrete Pool Step



Ground Storey Plan
Scale 1:100



Site and Roof Plan
Scale 1:100

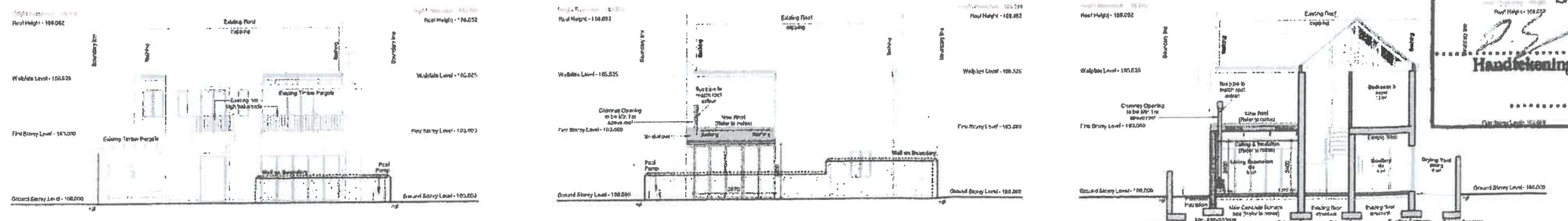


Ground Storey Gross Area Plan
Scale 1:200

Ground Storey Nett Area Plan
Scale 1:200

First Storey Gross Area Plan
Scale 1:200

First Storey Nett Area Plan
Scale 1:200


Existing Roof
Existing Timber Pergola
Existing Trees
Existing Timber Pergola
Pool Pump
Wall on Boundary
Chimney Opening to be Min 1m above roof
New Roof (Refer to notes)
Existing Roof
Existing Timber pergola
Wall on Boundary
Existing Roof
Existing Roof
Existing Timber Pergola
Existing Roof
Existing Roof
Existing Timber pergola
Existing Timber Pergola
Existing Roof
Existing Roof
Existing Roof