



STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

Application Number: LU/16684 (TP634/2024)

Our File Reference Number: Farm 137/1, 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 MUNICIPALITY BY-LAW ON MUNICIPAL LAND USE PLANNING, 2023 ON FARM NO. 137/1, STELLENBOSCH DIVISION

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 departure in terms of Section 15(2)(b) of the Stellenbosch Municipality: By-Law on Municipal Land Use Planning 2023 in order to relax the permissible coverage of the main dwelling unit from 600m² to 870m² in order to accommodate the proposed additions in the form of music room, staircase and new deck above the proposed music room on Farm No. 137/1, Stellenbosch Division.

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 will lapse if not implemented / confirmed within five years from the date of final notification of approval of the application.

2.2.2 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.

2.2.3 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 plan / floor layout plan as referenced drawing no. as indicated on building plan no. 137.1.100; 101; 102 & 201, dated 05 January 2024 and drawn by 27 Studio and attached as Annexure C.

2.3 The reasons for the above decision are as follows:

2.3.1 The proposed additions are in line with the existing land use of the property and will thus have not impact negatively on the character of the area.

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 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:

4.1 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

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

5.1 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.

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

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

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

5.5 The factual or legal findings that the appellant relies on.

5.6 The relief sought by the appellant.

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

5.8 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.

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 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

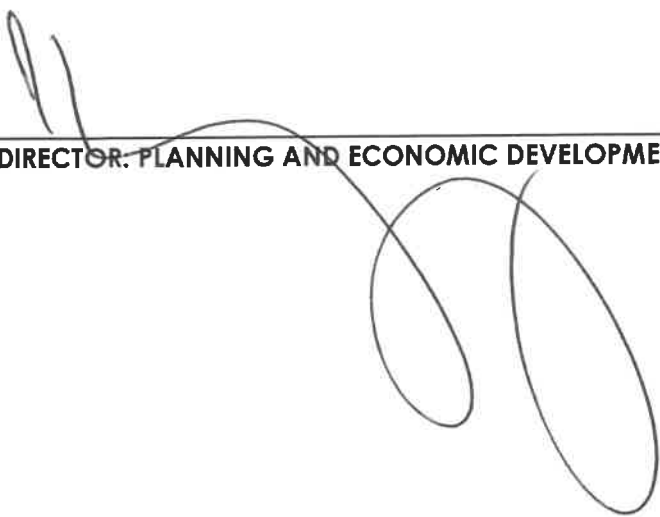
9. An applicant who lodges an appeal must also adhere to the following requirements stipulated in terms of section 80(3) to (7) of the said By-law:

- (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



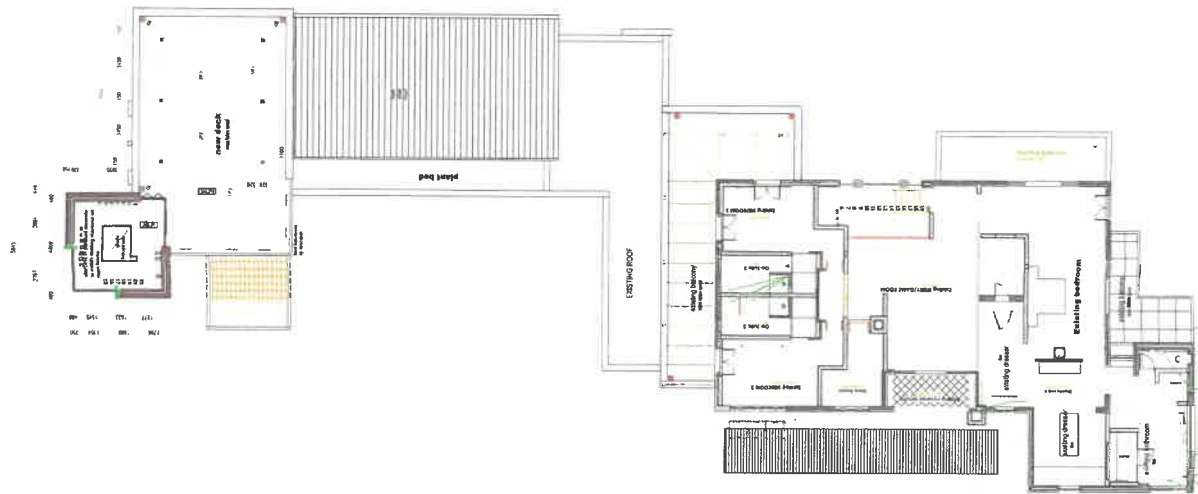
FOR DIRECTOR, PLANNING AND ECONOMIC DEVELOPMENT

27/6/2024.
DATE

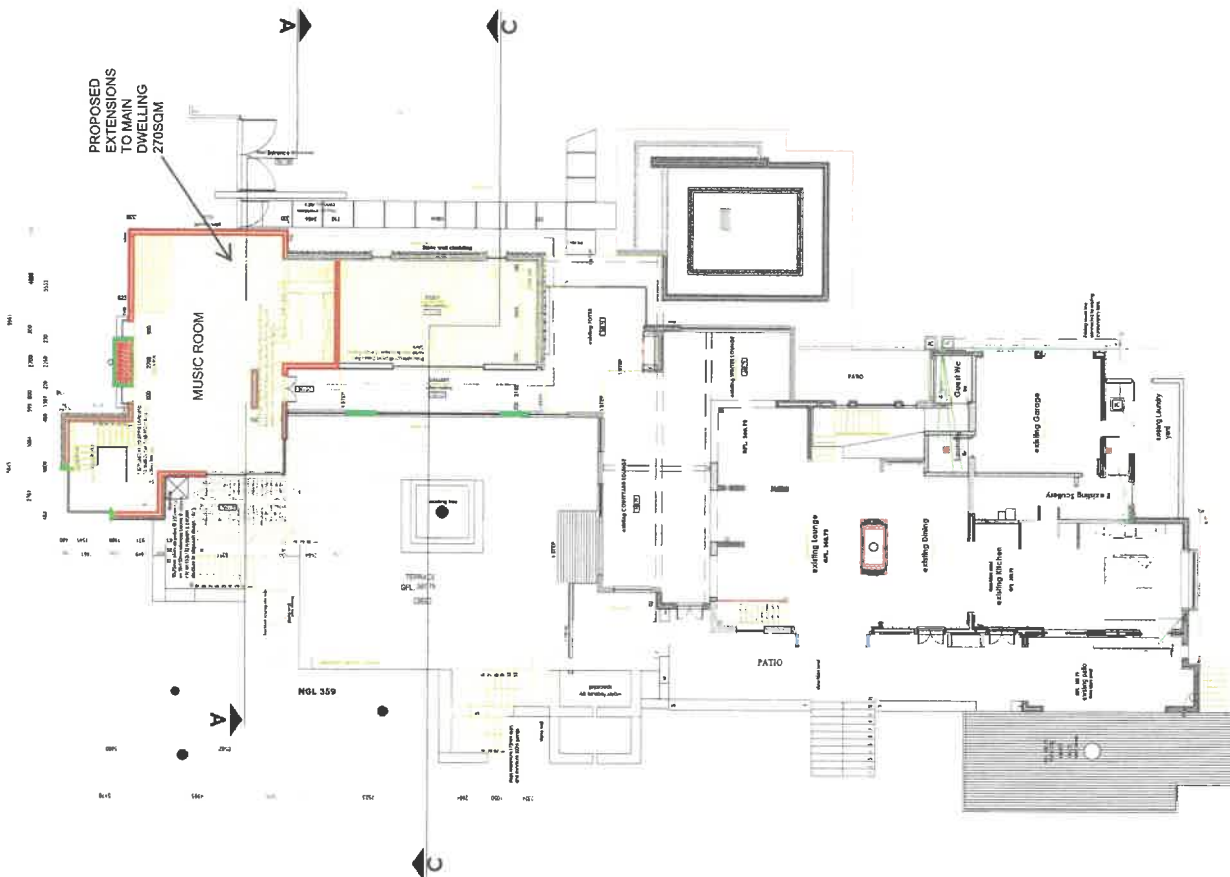
Annexure C: Building Plan

The building plan for the proposed project is as follows:

The building is a single-story structure with a total area of 10,000 sq. ft. The building is divided into two main sections: a main hall and a library. The main hall is 8,000 sq. ft. and the library is 2,000 sq. ft. The building is located on a plot of 10,000 sq. ft. The building is surrounded by a wall and a gate. The building is accessible by a road from the main entrance. The building is situated in a quiet area with no other buildings nearby. The building is surrounded by trees and a garden. The building is a good example of a modern building with a traditional design.



MANOR HOUSE FIRST
FLOOR PLAN 1:100

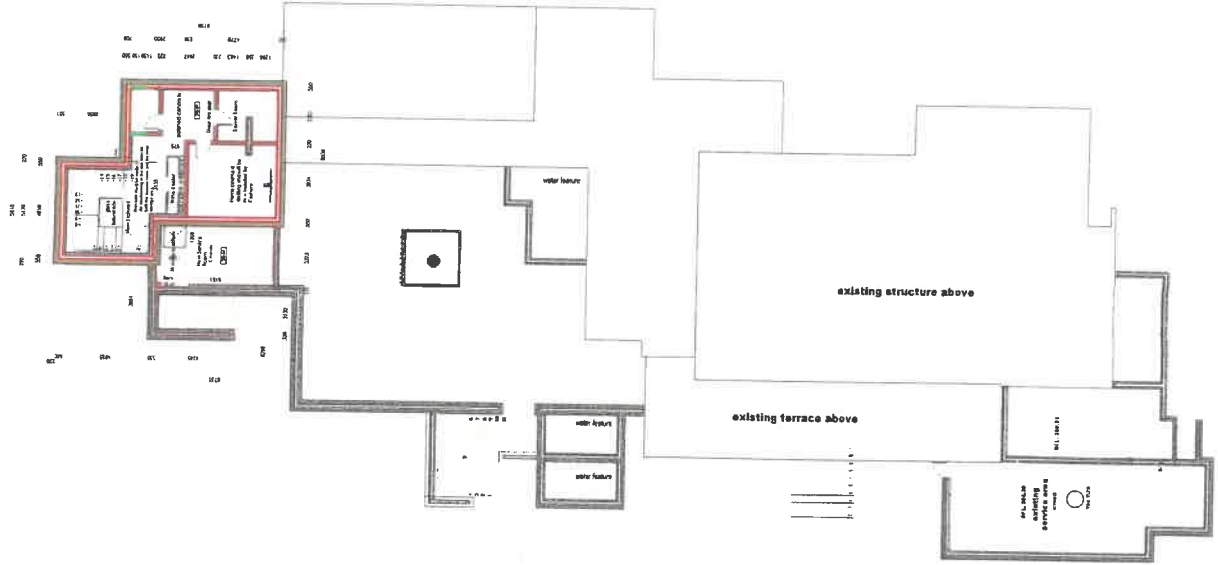
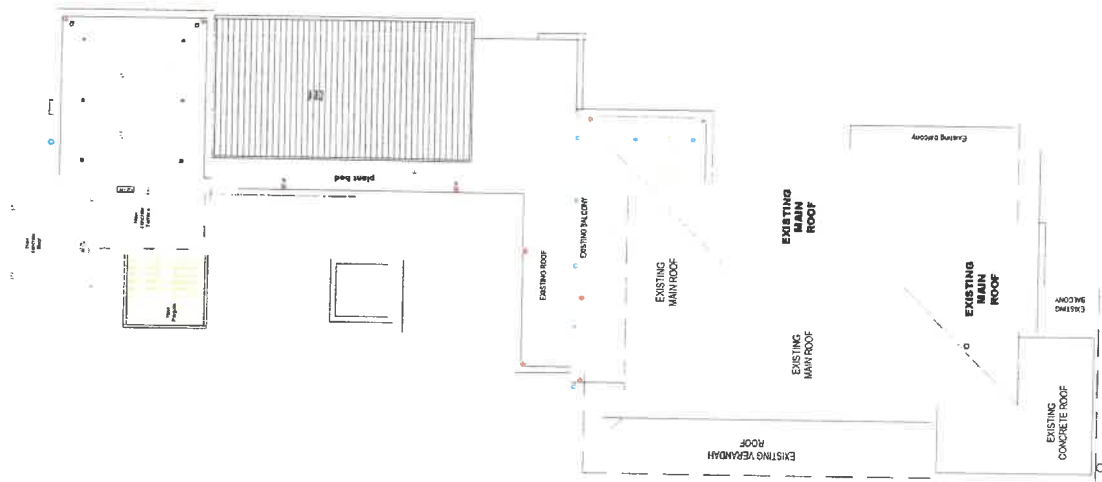


MANOR HOUSE GROUND
FLOOR PLAN 1:100

Existing kitchen improvements (200m²)
(coverage allowed)
Existing Manor House - 100m²
Total coverage - 300m²

27 STUDIO

TAS NUA
Upgrades on item 137 portion 1 in the
Districts & Valley
Owner: 27 Studio
Date: 2024.01.05



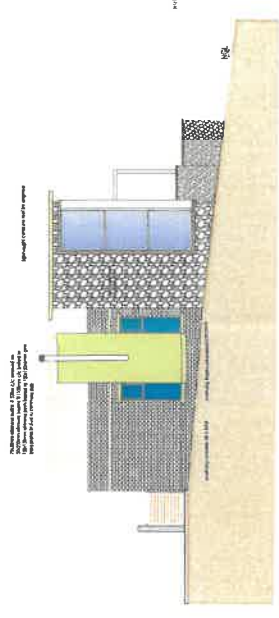
27 STUDIO
 1000 17th Avenue, Suite 100
 Boulder, CO 80502
 Phone: (303) 440-8888
 Email: info@27studio.com
 Website: www.27studio.com

PROJECT: 27 Studio
DATE: 01/01/2024
SCALE: 1/8" = 1'-0"

DESCRIPTION: This drawing shows the exterior elevations and sections of the 27 Studio building. The building is a two-story structure with a modern design. The elevations show the building's facade, including the entrance, windows, and roofline. The sections show the internal layout of the building, including the floors, walls, and roof. The drawing is a technical representation of the building's design and is intended to be used for construction purposes.

NOTES:

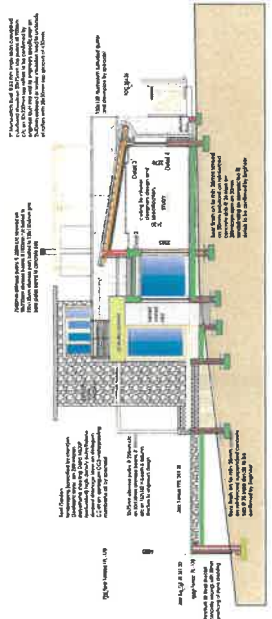
1. All dimensions are in feet and inches.
2. All materials are to be as specified in the schedule of materials.
3. All work is to be in accordance with the latest edition of the International Building Code (IBC).
4. The building is to be constructed on a concrete foundation.
5. The building is to be finished with a stucco exterior.
6. The building is to be finished with a wood interior.
7. The building is to be finished with a metal roof.
8. The building is to be finished with a concrete floor.
9. The building is to be finished with a concrete wall.
10. The building is to be finished with a concrete ceiling.



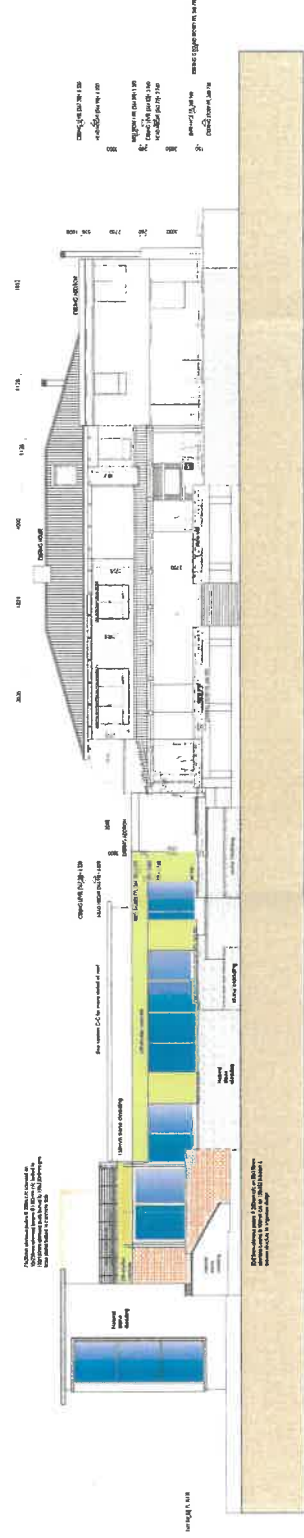
VIEW B-B 1:100
Studio West Elevation



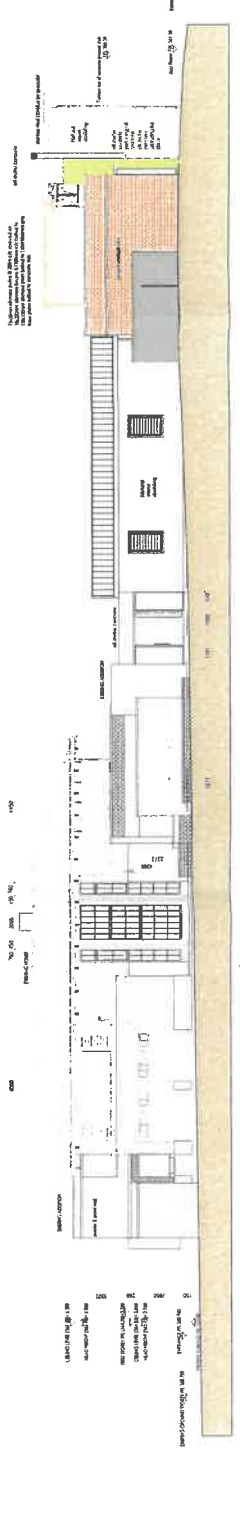
SECTION A-A 1:100 Studio



SECTION C-C 1:100
Study East Elevation



SOUTH ELEVATION 1:100



NORTH ELEVATION 1:100