



STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

Application Number: LU/17289 (TP742/2024)

Our File Reference Number: Farm 1402/1, Paarl Division

Your Reference Number:

Enquiries: Ulrich von Molendorff

Contact No: 021 – 808 8682

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

PER E-MAIL: [REDACTED]

Sir

APPLICATION FOR DEPARTURE IN TERMS OF SECTION 15(2)(b) OF THE STELLENBOSCH MUNICIPAL LAND USE PLANNING BYLAW, 2023: FARM 1402/1, PAARL 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 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 5m to 4m (adjacent to Farm 1402/6) for the proposed additions to the existing dwelling house on Farm 1402/1.

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

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

- 2.1.1 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.
- 2.1.2 The development and final building plans must be undertaken generally in accordance with the building plan as referenced in drawing No. 2024/10/17C, drawn by Masterplan Projects Architecture, dated Oct 2024 attached as **Annexure B**.

2.1.3 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.

2.1.4 All unauthorised buildings and structures be removed/demolished before occupation certificates are issued for any approved building plans.

2.1.5 Building plans must be generally in accordance with the site plan/floor layout plan as referenced on drawing No. 2024/10/17C, drawn by Masterplan Projects Architecture, dated Oct 2024 attached as **Annexure B**.

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

3.1 The encroachment of the building line does not undermine the character of the area due to the use and small 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 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.

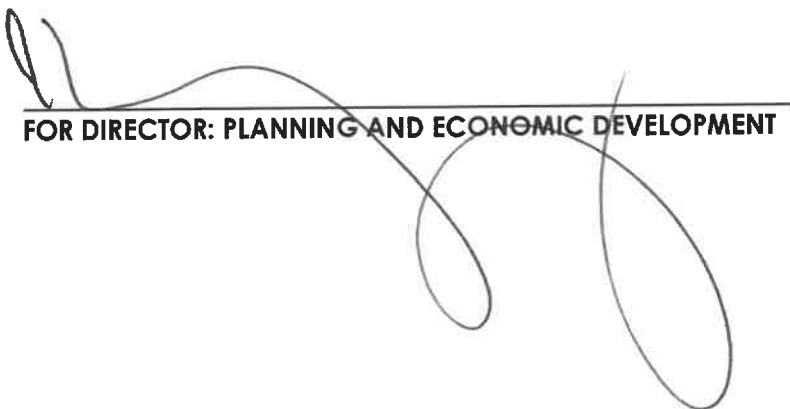
6. **Appeals must be addressed to the Municipal Manager and submitted to his/ her designated official by means of e-mail at the following address: landuse.appeals@stellenbosch.gov.za**

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.

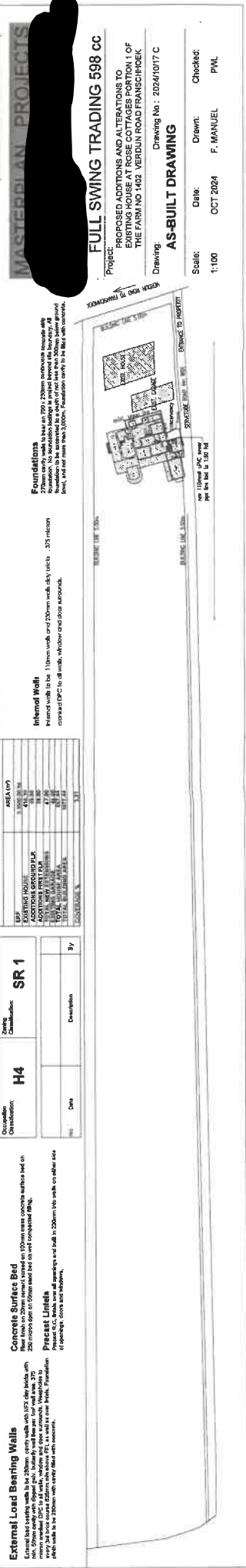
Yours faithfully



FOR DIRECTOR: PLANNING AND ECONOMIC DEVELOPMENT

5/11/2021
DATE

100



100m x 100m

100m x 100m

100m x 100m

0 100m

H4	Sr 1
Ocupações e atividades:	Zonas Climáticas:
Nº	Data
Exemplos	By

External Load Bearing Walls

The exterior walls are constructed with 8-in. concrete masonry units (CMU) with vertical reinforcement bars spaced at 16 in. The walls are finished with a 1/2-in. thick layer of stucco over a metal lath. The walls are designed to resist lateral loads from wind and seismic forces. The design load is based on a wind speed of 100 mph and a seismic zone of II.