

STELLENBOSCH

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Application Number: LU/17453(TP827/2024)

Our File Reference Number: Farm 402/2, 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 PERMANENT DEPARTURE: FARM 402/2, 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 following application in terms of Section 15(2) of the Stellenbosch Municipal Land Use Planning Bylaw, 2023 on Farm No. 402/2, Stellenbosch Division for:

- 2.1.1 A permanent departure in terms of Section 15(2)(b) of the said By-law to permit the second dwelling to be **0m** in lieu of **5m** from the common building line adjoining Farm No. 1411, 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 only applies to the applications under consideration and shall not be construed as authority to depart from any other legal prescriptions or requirements from the Municipality or other legislation or By-laws or Regulations that may be applicable.
- 2.2.2 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.

- 2.2.3 The development and building plans be generally in accordance with the site plan, floor layout & elevations plans as referenced on Drawing No. SBP 402 02 01 to 03 dated 18 March 2024 and drawn by Isebeau Marais, attached as **Annexure A**.
- 2.2.4 Building plans must be submitted for all work, as well as changes of use of the existing buildings / structures and which building plan(s) must be approved and related occupancy certificates be issued prior to the vesting of any of the related approvals.
- 2.2.5 No structure or any portion thereof may encroach over the erf boundary.
- 2.2.6 A contravention penalty, as stipulated in terms of section 88(1)(g) of the Stellenbosch Municipal Land Use Planning Bylaw, 2023 and the Stellenbosch Tariff Structure 2024/25, of R25000 is payable within 30 days from date of approval of the land use application, and prior to building plan approval.

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

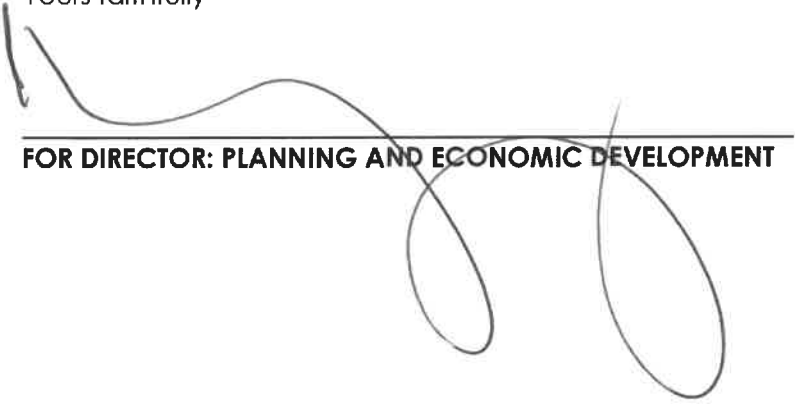
3.1 The proposal is in keeping with the current land use of the subject property.

3.2 The encroachment of the building line does not undermine 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 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

6/11/2024
DATE

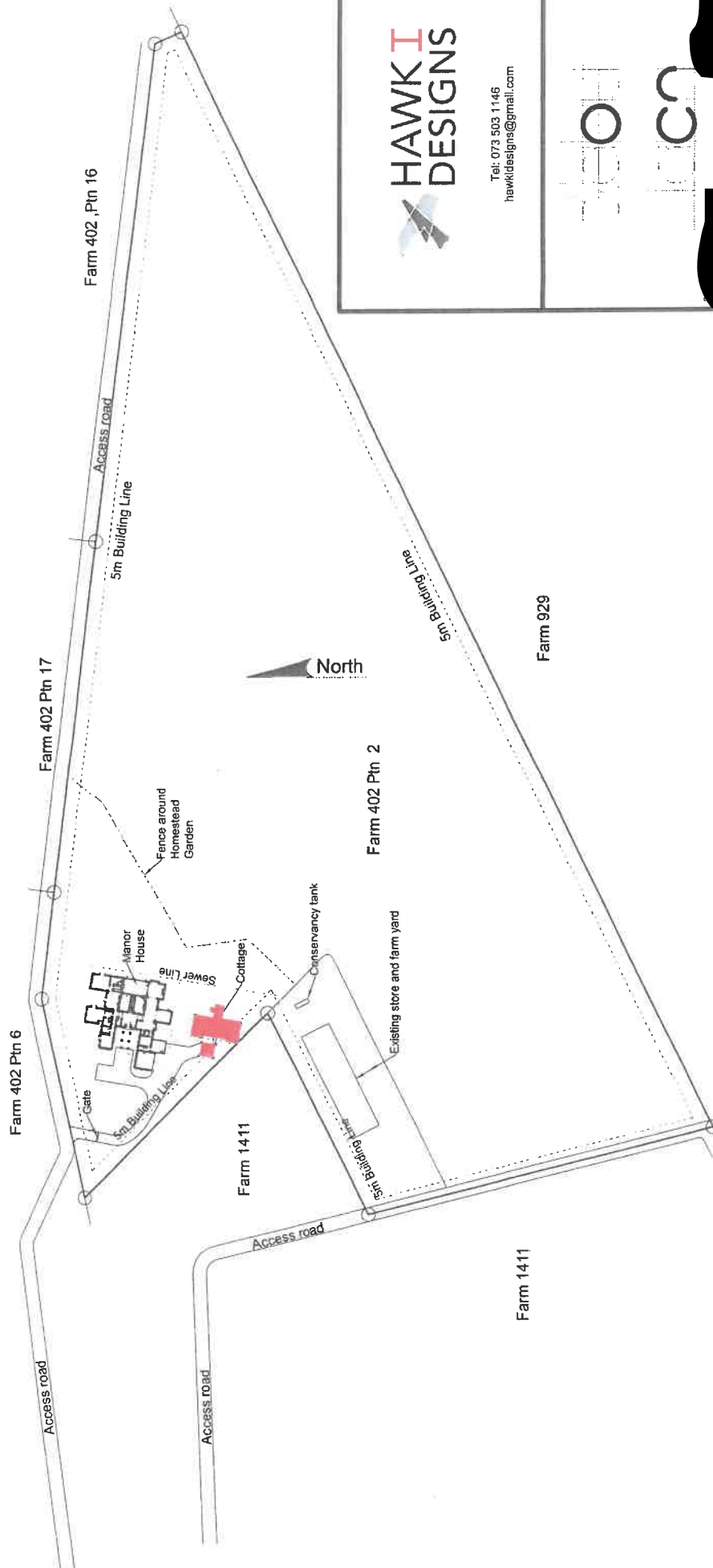


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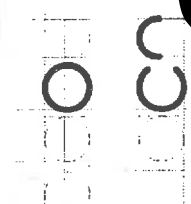
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ANNEXURE A

SITE PLAN, FLOOR PLAN & ELEVATIONS



Tel: 073 503 1146
hawkidesigns@gmail.com



**Residential Units on Portion 2 of
Farm 402 For Lazuli Farm**

Drawing Name: **Site Plan**

Drawing No: **SBP 402 02 01**

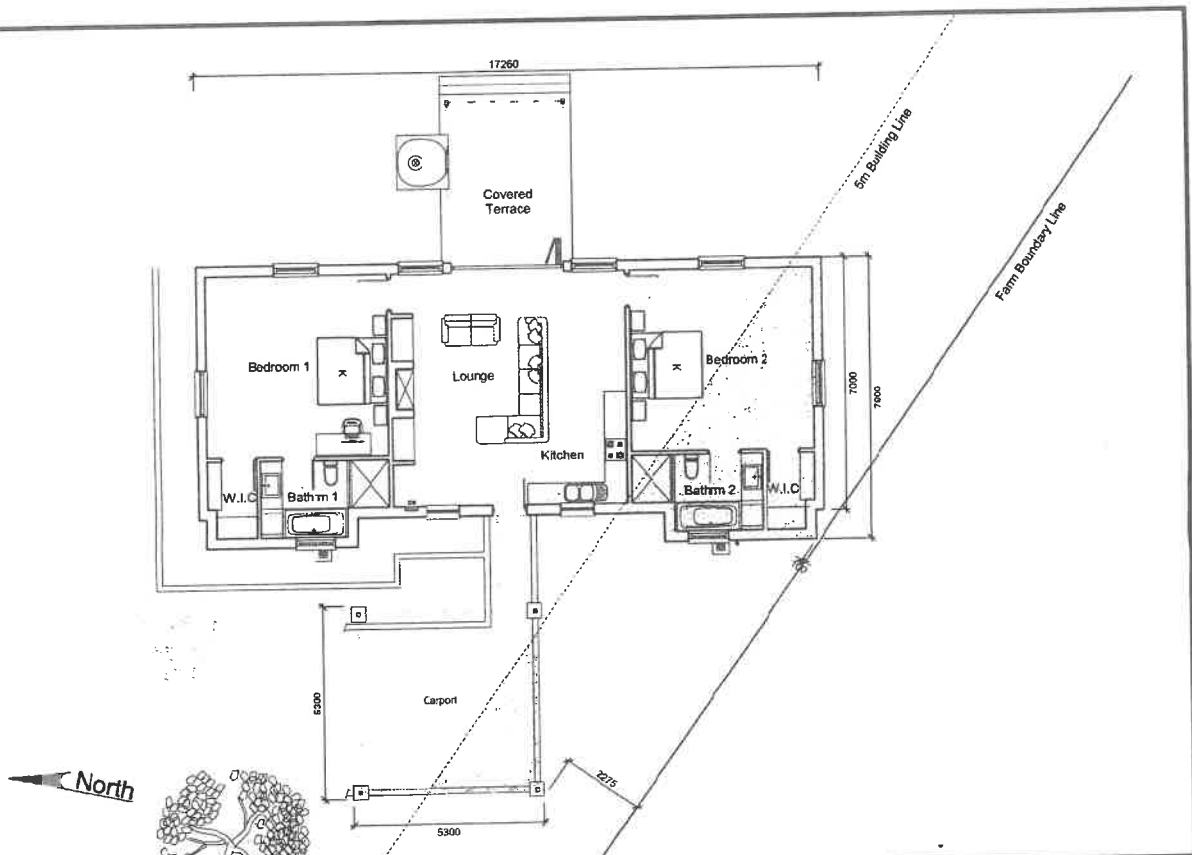
Date: **18 March 2024**

Scale: **1:1500**

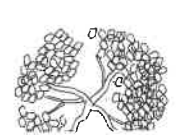
Drawn By: **L. Marais**

SACAP No:

D1574



North



**Beau
Tech**

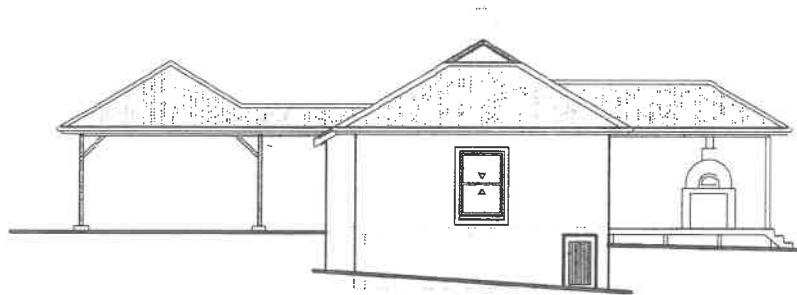
29 'lobelies Crescent
Johannesburg
7900

Tel: 082 822 0526
sabeau@beautech.co.za
020 01000000 00 20
SACAP No: D15174

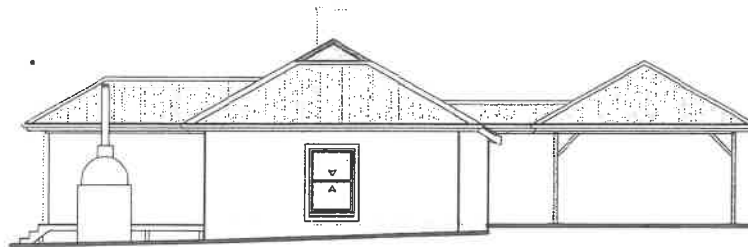
**HAWK I
DESIGNS**

h.i.designs@gmail.com

Project:		Residential Units on Portion 2 of Farm 402 For Lazuli Farm	
Drawing Name:		Cottage Floor Plan	
Drawing No:		SBP 402 02 02	
Date:		18 March 2024	Scale: 1:100
Drawn By:		S. Jacobs	Checked By: I. Marais
			SAF No: D15174



South Elevation
1:100



North Elevation
1:100

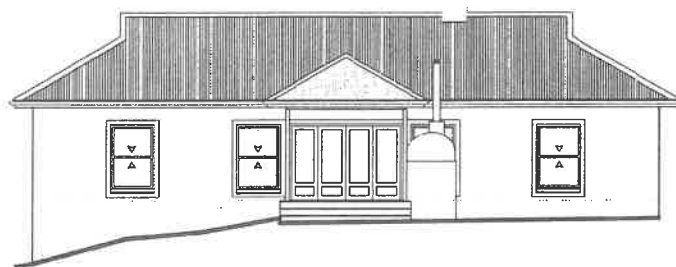
Beau
Tech

20 'Kloofers Crescent
Johannesburg
2190

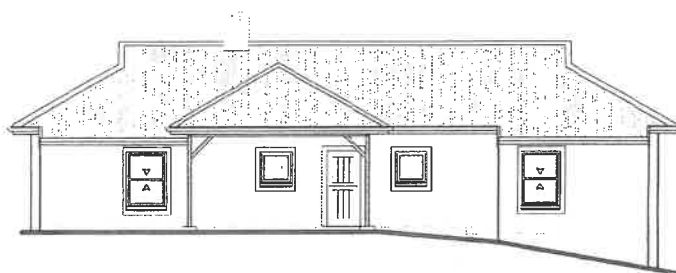
Tel: 082 022 0528
beautech@beautech.co.za
http://www.beautech.co.za
SACAP No: 015074

HAWK I
DESIGNS

Project		
Residential Units on Portion 2 of Farm 402 For Lazuli Farm		
Drawing Name		
Cottage North & South Elevations		
Drawing No.		
SBP 402 02 03		
Date		
18 March 2024		
Scale		
1:100		
Drawn By		
S. Jacobs		
Checked By		
I. Marais		
SACAP No.		
D.1574		



East Elevation
1:100



West Elevation
1:100

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29 Looes Crescent
James Town
Cape Town
7800

Tel: 081 82 0528
beautech@beautech.co.za
http://beautech.co.za
SACAP No: D1574

HAWK I
DESIGNS

Project:			
Residential Units on Portion 2 of Farm 402 For Lazuli Farm			
Drawing Name:			
Cottage East & West Elevations			
Drawing No:			
SBP 402 02 04			
Date:	18 March 2024	Scale:	1:100
Drawn By:	S.Jacobs	Checked By:	I.Marais
		Sheet No:	D1574



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ANNEXURE B

SITE PHOTOGRAPHS

Encroachment

storage



Storage and Veld



Side view

