



STELLENBOSCH
STELLENBOSCH • PNIEL • FRANSCHHOEK
MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

Application Number: LU/17386 (TP784/2024)

Our File Reference Number: Erf 2960, 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 ON ERF 2960, STELLENBOSCH

1. The above application refers.
2. The duly authorised decision maker has decided on the above application as follows.
3. That the application in terms of Section 15(2)(b) of the Stellenbosch Municipality By-Law on Municipal Land Use Planning, 2023 for a departure to exceed the permissible street boundary wall height from 1,8m to 2,7m on Erf 2960, Stellenbosch

BE REFUSED in terms of Section 60 of the said Bylaw.

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

- i. The proposed height of the street boundary wall is not in line with the existing boundary wall heights in this area and is thus seen to be out of character with the surrounding residential erven.

3.2. That the application in terms of Section 15(2)(b) of the Stellenbosch Municipality By-Law on Municipal Land Use Planning, 2023 for a departure on Erf 2960, Stellenbosch for the following:

- a. To relax the street building line from 3m to 1,5m in order to accommodate the proposed swimming pool,
- b. To relax the street building line from 3m to 0m in order to accommodate the proposed double garage,

- c. To relax the common building line from 1m to 0m in order to accommodate the proposed braai area,

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

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

- 4.1. The development must be undertaken in accordance with the referenced Site/Ground Plan with Drawing No. 101revE, dated June 2024 and drawn by Will Hammers and attached as **Annexure A**.
- 4.2. 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.
- 4.3. 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.
- 4.4. Building plans must be generally in accordance with the site plan / floor layout plan as referenced drawing no. 101revE, dated June 2024 and drawn by Will Hammers and attached and attached as **Annexure A**.

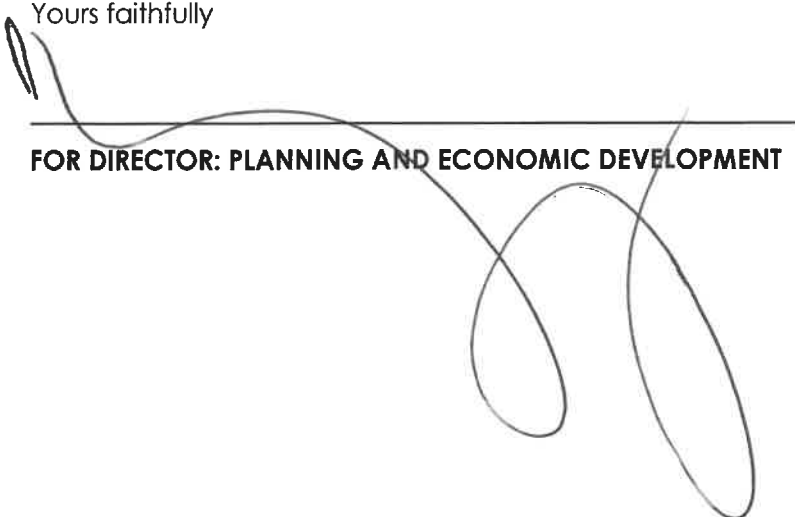
5. The reasons for the above decision are as follows:

- 5.1. The proposal is associated and in line with the residential use of the property and will thus have no impact on the surrounding area.
6. 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.
7. 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.
8. **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**
9. 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

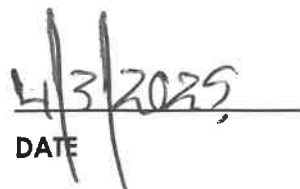
appeal. The **LU** Reference number on this correspondence, or the applicable Erf/ Farm Number must be used as the reference for the payment of the appeal fee.

10. 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.
11. 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.
12. Kindly note that no appeal right exists in terms of Section 62 of the Local Government Municipal Systems Act, No 32 of 2000.
13. 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



DATE

Annexure A: Building Plan

