

STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

Application Number: LU/18976 (TP1170/2024)

Our File Reference Number: Erf 739, 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 DEPARTURE, CONSENT USE & PERMISSION REQUIRED IN TERMS OF THE ZONING SCHEME ON ERF 739, KYLEMORE

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(s) in terms of Section 15(2) of the Stellenbosch Municipal Land Use Planning Bylaw, 2023 on Erf 739, Kylemore for:

- 2.1.1 **Permission** in terms of Section 15 (2) (g) of the said by-law in order to accommodate the proposed additions within the Dwars River Valley Rural Conservation Area overlay zone.
- 2.1.2 **Consent Use** in terms of Section 15 (2) (o) of the said by-law for additional uses exceeding parameters in order to accommodate the proposed second dwelling unit.
- 2.1.3 **Permanent Departure** in terms of Section 15 (2) (b) of the said by-law, to relax the following:
 - a) Common building lines from 2.5m to 1.5m (adjacent to Erf 740) to accommodate the proposed pergola and second dwelling unit.
 - b) Common building line from 2.5m to 0.5m (adjacent to Erf 723) to accommodate the proposed storage.

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 proposed applications 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.

- 2.2.2 The development and building plans be generally in accordance with the Site & ground floor plan, referenced as drawing No: Site & ground floor plan, referenced as drawing No: 24-11-893, Rev 4, 2 &1 drawn by: Janet Barnard (Design Draughting Studio)), dated 02.10.2024 and attached as **Annexure A**.
- 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 A contravention penalty of R10 000 is payable within 30 days from date of the subject approval in respect of the unlawful utilisation of land and prior to the approval of building plans.
- 2.2.5 Building plans be submitted and approved by the Municipality prior to the commencing of any building works, including the preparation of land, which will only be approved when all relevant (or qualified) conditions of approval have been complied with.

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

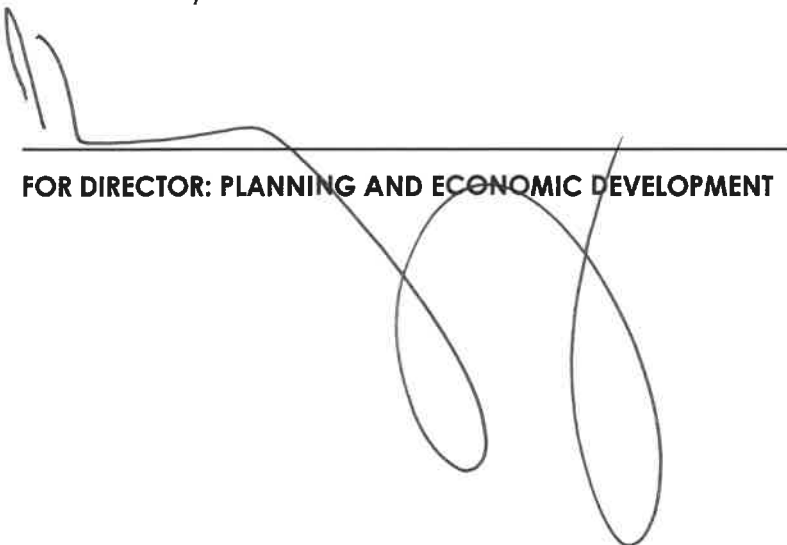
3.1 The proposal is in line with the existing land use of the property and will not have a negative impact on the character of the surrounding area.

3.2 The proposed development would not negatively affect the aesthetic appearance of the structure, property or surrounding environment and the primary use of the property will remain residential.

- 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.

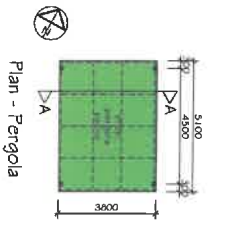
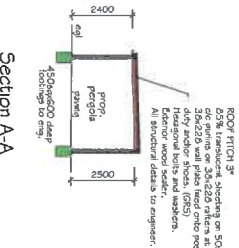
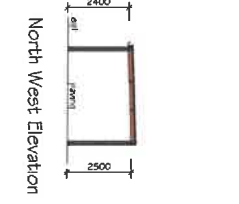
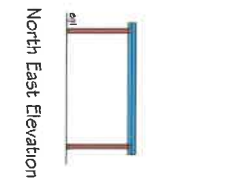
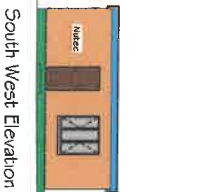
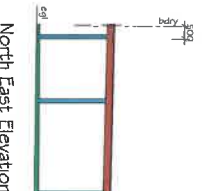
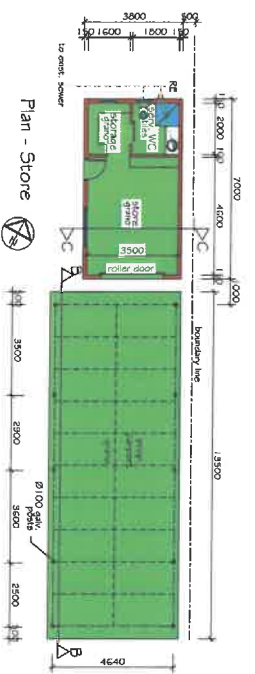
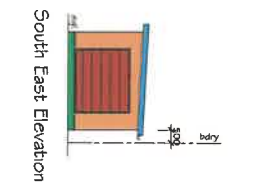
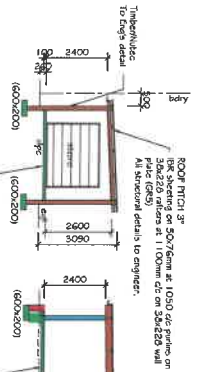
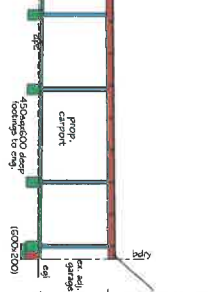
Yours faithfully



FOR DIRECTOR: PLANNING AND ECONOMIC DEVELOPMENT

6/11/2025
DATE

ANNEXURE A
SITE DEVELOPMENT PLAN



Window Glazing Schedule			
No.	Off	Clear	Clear
1	1	1	1
2	2	2	2

GLAZING LEGEND
□ Anodized glass - clear - 6mm
□ Tinted glass - clear - 6mm

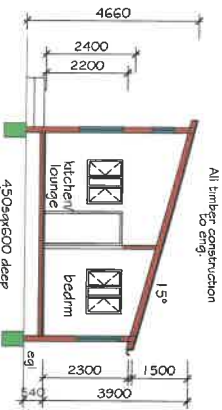
Rev.	description	date
2	Plans confirmed	24.04.2023
1	Plan split for as built	29.11.2022
0	for submission	20.9.2022

Design Draughting
Studio

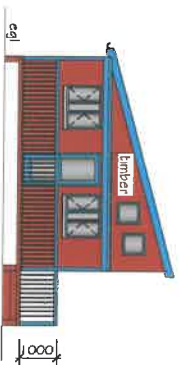
Project: Amalia Elizabeth Jonker
As-Built
Carport, store & pergola
1 Jooste Street
ET 739
Kylmore
Stellenbosch
Occupation classification: H14

Title: PLANS, SECTIONS & ELEVATIONS

Scale	1:100	AI
Drawn	Jarret Damard	2.10.2024
Org No.	24-11-893	Rev. 2



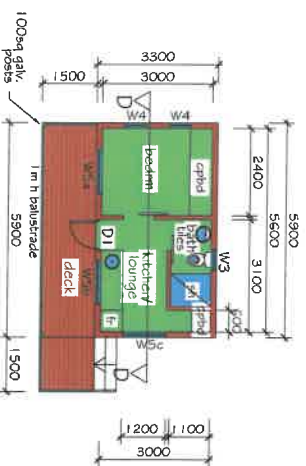
Section D-D



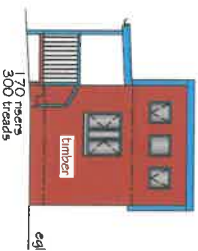
West Elevation



East Elevation



North Elevation



South Elevation

Ground Floor
2nd Dwelling

2100					
neg					
Type	W1	W2	W3	W3	W3
Material	aluminum	aluminum	aluminum	aluminum	aluminum
No. off	3	1	1	1	1
Glazing New	clear	clear	clear	clear	clear

GLAZING LEGEND
□ Annealed glass - clear - 4mm
◇ Tinted glass - clear - 6mm

Window Glazing Schedule

2100	
neg	
Type	D1
Material	aluminum
No. off	1
Glazing New	clear

Door Glazing Schedule

FLOOR - TIMR HOUSE
Floors constructed on 76x226mm bearers on 180-200mm Creso Pine columns on reinforced concrete pads.
36x226mm joists at max. 600mm c/s with 22mm Pine 14G flooring.
External wall frames 36x114 stud frames with studs at 400mm c/s and 14G half log external finish with 12.5mm Kynoboard inside fitted with insulation insulation waterproofing membrane.
Internal wall framing 36x76 stud frames at 400mm c/s with 12.5mm Kynoboard both sides.
WALLS
All timber construction in accordance with SANS 10082 (as amended).
Studs and rails to be 36x110. Studs at 400 c/s max.
External walls clad with lagging cladding, 4.5mm ply to all walls. Insower cavitybatt insulation in walls internal walls clad in 16mm Uniboard with 60mm fire rating, plastered and painted.

Design Draughting Studio

021 461 1111
james@design.com

5 BOUNDARY ROAD, GORDON'S BAY, 7140
Author - Janet Barnard Reg. No. 00346
Professional Architectural Draughts person
Client Tel: 0823235620

Amalia Elizabeth Jonker

Project:

Proposed 2nd Dwelling

1 Jooste Street
Erf 739
Kylmore
Stellenbosch

Occupation classification = H14

PLAN, SECTIONS & ELEVATIONS

Scale	1:100	A2
Drawn	Janet Barnard	2.10.2024
Dwg No.	24-11-893	Rev. 1