



STELLENBOSCH
STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNICIPALITY • UMASIPALA • MUNISIPALITEIT

Ref: 3/4/3/5/3/4

2018-12-02

**NOTICE OF AN
ECONOMIC DEVELOPMENT
AND PLANNING SERVICES
COMMITTEE MEETING
TUESDAY: 2018-02-06 AT 14:00**

TO Ald JP Serdyn (Ms) [Chairperson]

COUNCILLORS F Adams
FJ Badenhorst
AJ Hanekom
L Maqeba
RS Nalumango (Ms)
S Schäfer

Ex officio Executive Mayor, Ald G Van Deventer (Ms)

Notice is hereby given that an Economic Development and Planning Services Committee meeting will be held in the Council Chamber, Town House, Plein Street, Stellenbosch on **Tuesday, 2018-02-06 at 14:00** to consider the attached Agenda.

ALD JP SERDYN (MS)
CHAIRPERSON

A G E N D A
**ECONOMIC DEVELOPMENT
AND PLANNING SERVICES
COMMITTEE MEETING**

2018-02-06

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	NONE	
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	NONE	
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	NONE	

AGENDA

PLANNING, ECONOMIC AND COMMUNITY
DEVELOPMENT COMMITTEE MEETING

2018-02-06

1.	OPENING AND WELCOME	(3/4/3/3)
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1.1	COMMUNICATION BY THE CHAIRPERSON	(3/4/3/6)
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1.2	DISCLOSURE OF INTEREST	(3/6/2/2)
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2.	APPLICATION FOR LEAVE OF ABSENCE	(3/4/3/3)
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3.	CONFIRMATION OF THE MINUTES	(3/4/3/5/2/4)
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The minutes of the Planning and Economic Development Committee Meeting held on 2017-09-06 is distributed under separate cover.

FOR CONFIRMATION

4.	REPORT/S BY THE DIRECTOR: ECONOMIC DEVELOPMENT AND PLANNING SERVICES RE OUTSTANDING RESOLUTIONS TAKEN AT PREVIOUS MEETINGS	(3/4/3/5/2/2)
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NONE

5.	REPORTS FROM OFFICIALS: PLANNING, LAND USE MANAGEMENT, SPATIAL PLANNING, HERITAGE AND BUILDING CONTROL
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5.1	NON-DELEGATED MATTERS
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NONE

5.2.1	DELEGATED MATTERS
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5.2.1	APPLICATION FOR A SPECIAL DEVELOPMENT: ERF 7978, 7 FLORIDA STREET, PARADYSKLOOF, STELLENBOSCH
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1. PURPOSE OF REPORT

To enable the Committee to make an informed decision on the proposed Special Development. The application is **recommended for refusal**.

2. BACKGROUND

There is no relevant background that might have a bearing on this application.

3. DISCUSSION

3.1 Application for consideration

Application is made in terms of Section 10.2.2 of the Stellenbosch Municipality Zoning Scheme Regulations, July 1996 for a Special Development for accommodation of four (4) additional persons on Erf 7978, Stellenbosch. See **APPENDIX 3**.

3.2 Property information

Erf numbers	7978
Location	Florida Street, Paradyskloof APPENDIX 2
Zoning/Zoning Scheme	Single Residential / Stellenbosch Municipality Zoning Scheme Regulations, July 1996.
Property size	1167m ²
Owner	ME Pienaar
Applicant	ME Pienaar
Unauthorized land use/building work / date when notice served	Yes – the additional persons are already being accommodated prior to Council's approval. First notice was served on 18 July 2016 and the matter was then referred to legal services on 28/9/2016
Title deed conditions	None

3.3 Site description and immediate environs

The subject property is located in Paradyskloof, a residential area located within the Stellenbosch area. The area is characterized by mainly residential properties and the subject property is currently developed with a dwelling house and associated outbuildings.

3.4 Legal requirementsApplicable laws and ordinances:

- Stellenbosch Municipality Zoning Scheme Regulations, July 1996

3.5 Public participation

Advertising was done in terms of Council's Advertising and Public Participation Policy. Registered notices were served on the adjoining property owners and seven (7) objections were received against the proposal (See **APPENDIX 6**). The application was also advertised to the Ward Councillor (Councillor FJ Badenhorst) who also objected to the proposal. The objections are discussed in the table below. See **APPENDIX 7** for the applicant's comments on the objections.

3.6 Summary of objections and comments on objections

Issues raised	No	Applicant's comments	Departmental response
<p><u>Mrs S Stevens</u> The use of the property as requested suggests a commune lifestyle which is unacceptable within this quiet residential neighbourhood.</p>	2	The objections received are not valid as the owner of the property complies with the requirements for accommodation of additional persons.	The zoning scheme makes provision for accommodation of additional persons as a special development and the proposed additional land use right should be subservient to the primary land use right. Thus in all case the accommodation of a family is seen to be the primary use of the property and the accommodation of additional persons the additional use. In this instance the proposed use has become the primary use which is not what was intended when the zoning scheme made provision for the accommodation of additional persons as a special development.
The proposed use will have a negative impact on the property values in the area (i.e increase in noise).	2	The surrounding property owners have an opinion that the accommodation of tenants will have a negative impact on the value of the properties. However, the owner's impression is that the contrary is true. The value of properties in Stellenbosch is more than that of the surrounding towns. Everyone's investments should therefore be safe.	The objector's comment is noted although it is not clear how property values will decrease should the proposed use be approved.

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PLANNING, ECONOMIC AND COMMUNITY
DEVELOPMENT COMMITTEE MEETING

2018-02-06

The proposal will have a negative impact on the junction at the R44 which is already problematic.	1	No comment was given.	This proposal was circulated to the internal Department: Traffic Services and no objection was received.
The proposal will set a precedent.	1	Stellenbosch is known to be a "student town" and it is for this reason that people will invest in this town. A lot of flats were constructed due to the demand of accommodation establishments	The approval of a special development will set a precedent for similar applications which is not the intention of the zoning scheme.
Ad-hoc approvals will have a negative impact on traffic.	1	No comment received	This proposal was circulated to the internal department of traffic engineering and no objection was received.
The original street and erf layout does not make provision for an increase of residents per erf/street.		No comment received	Noted
Four additional persons per erf mean in actual fact four additional cars and no public transport is provided for in this area.	1	The proposal complies with the maximum number of additional persons and sufficient parking has been provided. In total, five people will be residing on the property and the norm in the area is 2-5 people per property.	This proposal was circulated to the internal department of traffic services and no objection was received. It should be noted that 2-5 persons per property are a family and not additional persons, thus two (2) vehicles per property would be a norm for this area.
Comment from the Provincial Roads Engineer is also required as the proposed application will have direct impact on the R44.	1	No comment supplied.	The proposal was circulated to the internal department of traffic engineering and no objection was received
The property is already being utilised as an accommodation establishment and the objector is already experiencing problems such as parking in streets and increased noise levels.	3	No comment supplied.	A notice was served on the owner of the property to cease the illegal activity and the matter has been handed over to legal Department to take legal action.
Sarie Joubert Trust Paradyskloof is not a student neighbourhood.	1	No comment supplied.	The Stellenbosch Zoning Scheme makes provisions for a Single Residential Property to accommodate four (4) additional persons on the property with the consent of Council as a subservient activity/use.
There are individuals in the area that rent out rooms but with utmost discretion and with the consent of Council	1	No comment received	This comment has no relevance to the application at hand.
The objector has invested in a neighbourhood where families live - not a student environment.	1	No comment received	Noted.

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PLANNING, ECONOMIC AND COMMUNITY
DEVELOPMENT COMMITTEE MEETING

2018-02-06

The approval of such an application will have a negative impact on the area as a whole.	1	No comment received	This is a subjective statement that cannot be substantiated.
O&M Ubbink It is generally known that an owner who is willing to lease his property in such a manner will generate more income than with a conventional residential leasing. However, it is the surrounding property owners who suffer with respect to the increase in noise level, street parking and decrease in property values.	1	Sufficient parking is available on-site. The cars are partially hidden under the trees and shrubs which were planted by the owners of the property.	The owner of the property does not reside on the property therefore there will be little or no control of the noise levels and activities taking place on the property. Experience has shown that there is more control where there is a working adult or family staying in the property than in the case of a student house.
The objectors specifically chose to stay in a more expensive & peaceful area (Paradyskloof) than to stay in a cheaper area (Simonswyk) where such uses are allowed.		The tenants are responsible young people with good manners. The tenants don't have any negative impact on the peaceful residential character of the neighbourhood.	This comment has no relevance to the application at hand.
The Municipality must investigate and take the necessary steps to stop the illegal use.		No comment received	A notice was served on the owner of the property to cease the illegal activity and the matter has been handed over to legal Department to take legal action.
A van Helsdingen A commune occupation leads to student accommodation on the erf.		No comment received	Noted.
The property is not properly maintained.		No comment received	This comment has no relevance to the application at hand.
There are enough families seeking accommodation in Stellenbosch to let this house.		No comment received	This comment has no relevance to the application at hand.
Cllr FJ Badenhorst A dwelling which consists mainly/only students is in conflict with the character of the surrounding neighbourhood.		No comment received	The zoning scheme makes provision for the accommodation of additional persons as a special development (consent use) and the proposed additional land use right should be subservient to the primary land use right. Thus in all case the accommodation of a family is seen to be the primary use of the property and the accommodation of additional persons the additional use. In this instance the proposed use has become the primary use as no family lives on the property, which is not what was intended when the zoning scheme made provision for the accommodation of additional persons as a special development.

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Due to the location of the Campus on the opposite side of town, accommodating students in Paradyskloof will lead to traffic congestions.		The proposed student house will not adversely affect traffic. Extensions of a town result in more traffic in the area.	This proposal was circulated to the internal department of traffic services and no objection was received.
There is ample accommodation available for students in areas already identified and zoned as such by the Municipality.		No comment received	The Stellenbosch Zoning Scheme makes provisions for Single Residential Properties to accommodate four (4) additional persons on the property with the consent of Council.
Due to the transient nature of students, there will be no guarantee that the current owner's son will continue representing the owner (who resides off the property).		No comment received	The accommodation of additional persons (students & young professionals) on a property without supervision does in most instances increase noise levels which will have a negative impact on the surrounding property owners and neighbourhood in general.
J&M BUYS Paradyskloof is a family neighbourhood and buyers who invest in home in this area are attracted by the quiet suburban character of the neighbourhood model where households are generally for working people.		The tenants are responsible young people with good manners. The tenants don't have any negative impact on the peaceful residential character of the neighbourhood.	The accommodation of additional persons (students & young professionals) on a property without supervision does in most instances increase noise levels, which will have a negative impact on the surrounding property owners and neighbourhood in general.
Homeowners invest in and pay attention to their homes so that a well groomed appearance and that the plots are neatly presented.		No comment received	This comment has no relevance to the application at hand.
Roads, car driveways that are full of parked cars and late night parties are not common in this area.		No comment received	Noted
Communes and student homes are not common in this neighbourhood.		No comment received	Paradyskloof is a quiet neighbourhood with Single Residential properties that are primarily used for the accommodation of a family. The proposal submitted not in line with the surrounding land uses.
I Grobler & SC Dippenaar A temporary subdivision of the house, where five or more young people live, mostly students, does not fit in with the character of the neighbourhood	1	No comment received	Refer to the above comment.
The value of the properties along the student housing will be influenced negatively.			The objector's comment is noted although it is not clear how property values will decrease should the proposed development be approved.

3.7 Comments from internal and external departments

The **Director: Civil Engineering Services** has no objection to the application (see **Appendix 6**).

The **Manager: Fire Services** has no objection to the application (See **Appendix 6**).

The Director: Traffic Services recommended the application for approval (See **Appendix 6**).

3.8 Planning Assessment

The applicant proposes to accommodate four (4) additional persons on the property. The existing house consists of five (5) bedrooms and only four bedrooms will be used by the additional persons. The fifth bedroom will be used by the owner's son who is a young professional, according to the owner of the property. In terms of the Stellenbosch Zoning Scheme, two parking bays must be provided on site for Single Residential zoned property that is larger than 401m². This would mean that the applicant has to provide 2 parking bays for the family and four additional parking bays for the proposed use. A site plan submitted by the applicant indicated 6 on-site parking bays that could be provided.

The Stellenbosch Zoning Scheme makes provision for the owner of a property which is zoned for Single Residential purposes to provide accommodation for additional persons (not more than four) on his property in terms of a Special Development application. The zoning scheme sets out a number of conditions that must be complied with should Council decide to support such an application. (Refer to extract of zoning scheme regulations below.)

In the case of a dwelling house being used for the accommodation of additional persons as contemplated in section 10.2.2(f), the following rules of development shall apply:

- (a) The use shall not create a nuisance to the neighborhood; and*
- (b) Parking for all the residents of the dwelling house shall be provided on the erf to the satisfaction of the Council.*

The Land Use Management Section is of the opinion that a property zoned for single residential purposes must be used primarily for the accommodation of a family and that the accommodation of additional persons must be of such a scale that it supplements the main use. Due to the fact that the accommodation establishment will not be supervised as the owner/ an adult member of the family does not reside on the property the application cannot be supported. The proposed use is, furthermore seen to be out of character with the surrounding residential area as the main use of the property is for an accommodation establishment and not a residence where a family resides.

Conclusion

The proposal is therefore not supported from a town planning point of view as the primary use of the property will not be single residential in nature as a family will not be accommodated on the property as part of the residential use.

4. LEGAL IMPLICATIONS

Pending.

5. FINANCIAL IMPLICATIONS

Pending.

APPENDICES

- Appendix 1 : Locality Plan and objector's location
- Appendix 2 : Site Plan
- Appendix 3 : Motivation
- Appendix 4 : Title deed
- Appendix 5 : Objections
- Appendix 6 : Comment on the objections
- Appendix 7 : Comments from the relevant internal departments
- Appendix 8 : Photos
- Appendix 9 : Non-compliance notice dated 18 July 2016

RECOMMENDED

that the application in terms of Section 10.2.2 of the Stellenbosch Municipality Zoning Scheme Regulations, July 1996 for a Special Development for accommodation of four (4) additional persons on Erf 7978, Stellenbosch as indicated in (See **APPENDIX 3**), **be refused**.

<i>Meeting:</i>	<i>Economic Dev & Planning Serv: 2018-02-06</i>	<i>Submitted by Directorate:</i>	<i>Plan & Econ Dev</i>
<i>Ref no:</i>	<i>1/1/1/16</i>	<i>Author</i>	<i>Manager: Spatial Planning</i>
<i>Collab:</i>	<i>555323</i>	<i>Referred from:</i>	



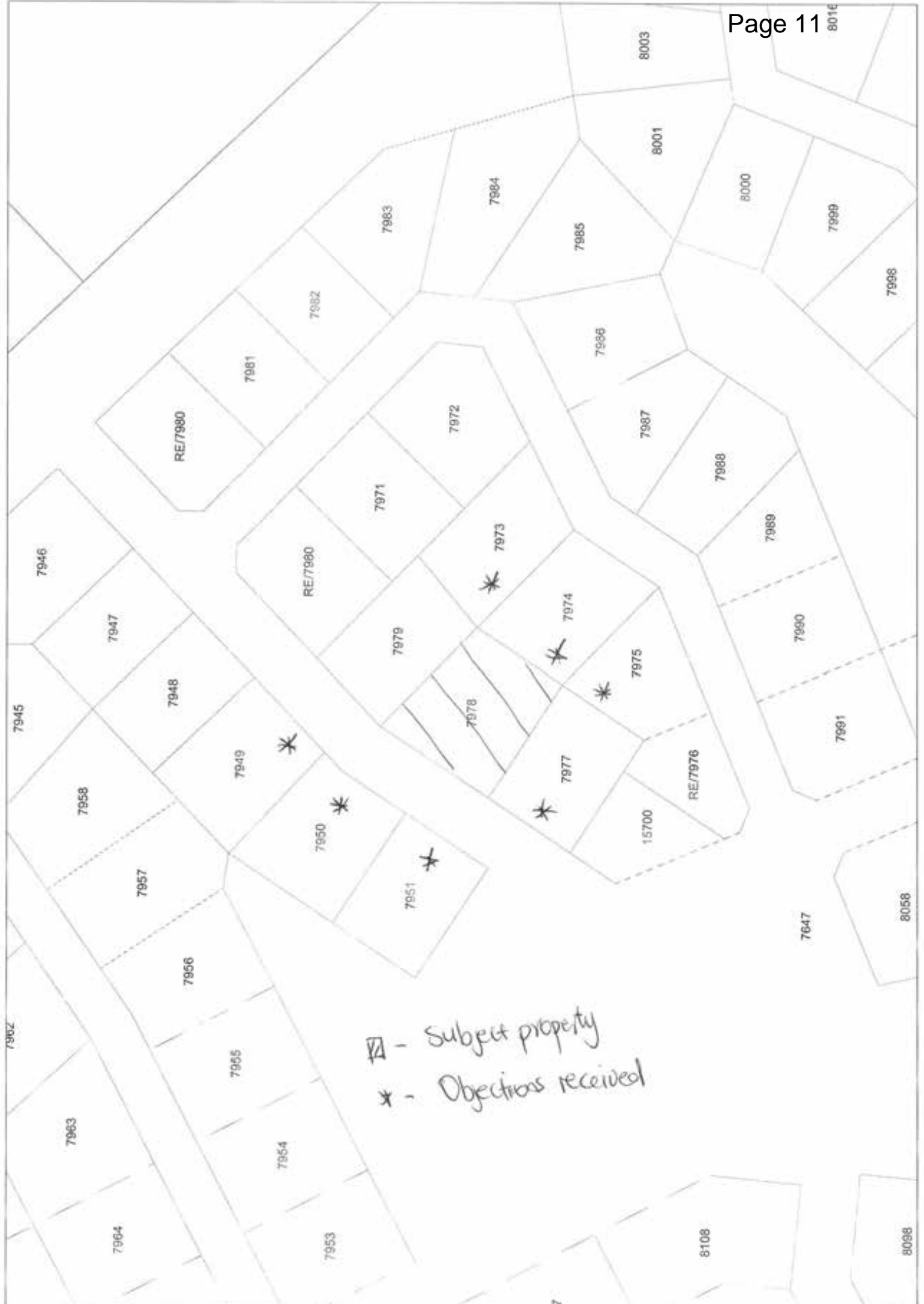
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APPENDIX 1

(APPLICATION FOR A SPECIAL DEVELOPMENT: ERF 7978, PARADYSKLOOF 7
FLORIDA STREET, PARADYSKLOOF, STELLENBOSCH)

LOCALITY PLAN





▭ - Subject property
* - Objections received

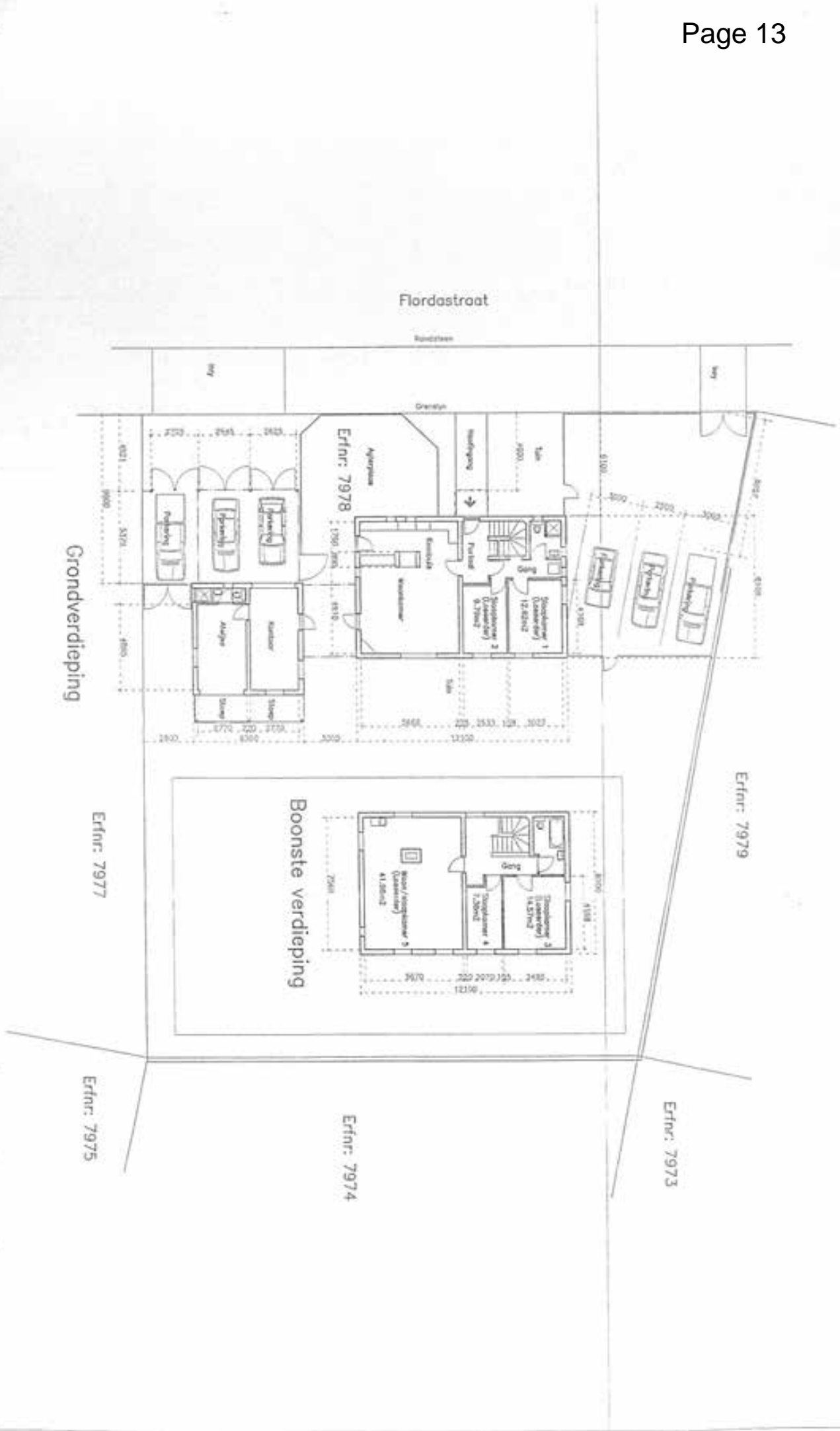


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APPENDIX 2

(APPLICATION FOR A SPECIAL DEVELOPMENT: ERF 7978, PARADYSKLOOF 7
FLORIDA STREET, PARADYSKLOOF, STELLENBOSCH)

SITE DEVELOPMENT PLAN



Florida Straat 7, Parodyskloof, Stellenbosch 7600.
 Tel: 021 8801411, Fax: 083 4804948,
 E-poos: schalksp@gnml.com

Van P. R. R. R.
 Huis Planoor

Voorstelde laeenders
 in Flordiastraat 7.

Munisipale
 danksaek

23-11-2015 1:200 (A3)

001-201-a



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APPENDIX 3

(APPLICATION FOR A SPECIAL DEVELOPMENT: ERF 7978, PARADYSKLOOF 7
FLORIDA STREET, PARADYSKLOOF, STELLENBOSCH)

APPLICANT'S MOTIVATION



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 DIRECTORATE: PLANNING AND ECONOMIC DEVELOPMENT

SECTION E: TYPE & DETAIL OF APPLICATION BEING SUBMITTED

DEPARTURE / CONSENT USE / SPECIAL DEVELOPMENT (REQUIRED)

Please indicate by means of an "X" in the appropriate box on the left, which of the following applications is/are being applied for

Building line encroachment	Street	From	m	To	m
	Street	From	m	To	m
	Side	From	m	To	m
	Side	From	m	To	m
	Aggregate side	From	m	To	m
	Rear	From	m	To	m
Exceeding permissible site coverage		From	%	To	%
Exceeding maximum permitted bulk / floor factor / no of habitable rooms		From		To	
Exceeding height restriction		From	m	To	m
Exceeding maximum storey height		From	m	To	m
Consent/Conditional Use/Special Development					
To permit <u>LODGERS IN RESIDENCE</u>					
in terms of Section.....of the..... Zoning Scheme Regulations					
Other (please specify)					

Brief description of application:

ACCOMMODATION FOR LODGERS IN PRIVATE RESIDENCE IN RESIDENTIAL ZONE

Motivation: (in the event of complex applications, a separate and detailed motivation should be attached)

4 LODGERS, 1 BEDROOM FOR EACH, 1 PARKING BAY ON SITE FOR EACH. WORKING MEMBER OF FAMILY OWNED TO RESIDE ON SITE PERMANENTLY WITH SEPARATE PARKING BAY. ACCOMMODATION CONTROLLED VIA AGENT AND PROPER WRITTEN AGREEMENT.



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APPENDIX 4

(APPLICATION FOR A SPECIAL DEVELOPMENT: ERF 7978, PARADYSKLOOF 7
FLORIDA STREET, PARADYSKLOOF, STELLENBOSCH)

COPY OF TITLE DEED

BUS/BOEK
136

VAN NIEKERK,
GROENEWOLD & VAN ZYL

VER-EMPOESSEMENTE KYK BLADST
FOR ENDORSEMENTS SEE PAGE

5

El 4/2

RYKE-LOUW
Attorneys and Conveyancers
Poyntons Building
Burg Street
CAPE TOWN

Prepared by my
A Louw
CONVEYANCER
A LOUW

VERBIND		MORTGAGED	
R 85 500,00		FOR R 85 500,00	
B	76680-92	<i>[Signature]</i>	
27-10-92		REGISTRATEUR/REGISTRAR	

BC 46327-93
GEKANSELLEER
CANCELLED
REGISTRATEUR/REGISTRAR
29 07 93

adjo [Signature]
DATA
2-11 L MURIE
T 68093-92

DEED OF TRANSFER

BE IT HEREBY MADE KNOWN

THAT ANNECKE LOUW
appeared before me, Registrar of Deeds at Cape Town, she being duly authorised thereto
by a Power of Attorney, granted to her by

DELINA JOHANNA POTGIETER
Identity Number: 480209 0046 009
Married out of community of property

dated the 14 day of September 1992 and signed at Stellenbosch

.../And

And the Appearer declared that on the 14th August 1992 her Principal as aforesaid sold the following property to the undermentioned **MARIA ELIZABETH PIENAAR**

NOW THEREFORE the said Appearer in his capacity as aforesaid, did, by these presents cede and transfer in full and free property, to and on behalf of

MARIA ELIZABETH PIENAAR

Identity Number: 450611 0045 004

Married out of community of property

HER heirs, Executors, Administrators, or Assigns

ERF 7878 STELLENBOSCH situated in the Municipality and Division of Stellenbosch

IN EXTENT 1167 (ONE THOUSEND ONE HUNDRED AND SIXTY SEVEN) square metres

FIRST TRANSFERRED and still HELD by Deed of Transfer No T8062/1987 and General Plan TP No 10800 relating thereto

- A. **SUBJECT** to the conditions referred to in Deed of Grant dated 29 June 1891 (Stellenbosch Freeholds Vol.6 No 5).
- B. **SUBJECT FURTHER** to the conditions contained in Deed of Grant dated 29 June 1891 (Stellenbosch Freeholds Volume 6 No 5) which reads as follows:-

"That all roads and thoroughfares now existing on the land hereby granted whether they are described in the diagram or not shall remain free and uninterrupted subject however to all such Duties and Regulations as are either already or shall in future be established with regard to such lands."

.../C. SUBJECT

C. SUBJECT FURTHER to the undermentioned conditions contained in Deed of Transfer No T8062/1987, as imposed by the Administrator in terms of Section 18 of Ordinance 33 of 1934 upon approval of Stellenbosch Township Extension 19, namely:-

1. The owner of this erf shall, without compensation, be obliged to allow gas mains, electricity, telephone and television cables and/or wires and main and/or other waterpipes and the sewage and drainage, including stormwater of any other erf or erven inside or outside this township to be conveyed across this erf and surface installations such as mini-substations, meter kiosks and service pillars to be installed thereon if deemed necessary by the local authority and in such manner and position as may from time to time be reasonably required. This shall include the right of access to the erf at any reasonable time for the purpose of constructing, altering, removing or inspecting any work connected with the above.
2. The owner of this erf shall be obliged, without compensation, to receive such material or permit such excavation on the erf as may be required to allow use of the full width of the street and provide a safe and proper slope to its bank owing to difference between the levels of the street as finally constructed and the erf, unless he elects to build retaining walls to the satisfaction of and within a period to be determined by the local authority.
3. This erf shall be used only for such purposes as are permitted by the Town Planning Scheme of the local authority and subject to the conditions and restrictions stipulated by the scheme.

.../WHEREFORE

WHEREFORE the Appearer in her said Capacity, renouncing all the right and title the said **DELINA JOHANNA POTGIETER** heretofore had to the premises, did, in consequence also acknowledge the said **DELINA JOHANNA POTGIETER** as aforesaid to be entirely dispossessed of, and disentitled, to the same; and that by virtue of these presents the said **MARIA ELIZABETH PIENAAR**

HER Heirs, Executors, Administrators, or Assigns, now and henceforth shall be entitled thereto conformably to local custom; State, however, reserving its rights; and finally acknowledging the said **DELINA JOHANNA POTGIETER**

to have been satisfactorily paid or secured the whole of the purchase money amounting to the sum of **R97 500,00 (NINETY SEVEN THOUSAND FIVE HUNDRED RAND)**.

IN WITNESS whereof, I, the said Registrar, together with the Appearer q.q. have subscribed to these presents and have caused the Seal of Office to be affixed thereto.

THUS DONE AND EXECUTED, at the office of the Registrar of Deeds, in Cape Town on the 27 day of October in the year of our Lord, One Thousand Nine Hundred and Ninety Two (1992).



q.q.

IN MY PRESENCE



REGISTRAR OF DEEDS





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APPENDIX 5

(APPLICATION FOR A SPECIAL DEVELOPMENT: ERF 7978, PARADYSKLOOF 7
FLORIDA STREET, PARADYSKLOOF, STELLENBOSCH)

OBJECTIONS

Mev S Stevens
/Erf 7974 en 7975
Repensstraat 10+12
Paradyskloof
Stellenbosch
12 Oktober 2016

Direkteur: Beplanning en Ekonomiese Ontwikkeling
Stellenbosch Munisipaliteit

Aansoek No LU/4439:

**AANSOEK VIR 'N SPESIALE ONTWIKKELING OP ERF 7978, STELLENBOSCH TEN EINDE VIER
ADDISIONELE PERSONE OP DIE PERSEEL TOE TE LAAT**

Verwys asseblief my kommentaar op oorspronklike aansoek (gedateer 15 Januarie 2016) vir tydelike afwyking op Erf 7978. Ek het skriftelik erkenning van ontvangs van my skrywes ontvang en het telefonies met S. Newman bevestig dat dit wel by julle op rekord is.

Hierdie skrywe (gedateer 12 Oktober 2016) verander nie, en vervang nie, enige aspek van my oorspronklike kommentaar nie, maar bevestig slegs my bekommernis soos in my kommentaar op die oorspronklike aansoek uiteengesit.

Geskiedenis toon duidelik dat goedkeuring vir een so 'n ontwikkeling in 'n woonbuurt aanleiding gee tot meer soortgelyke ontwikkelings, wat negatief sal impakteer op die verkeer, lewenskwaliteit en eiendoms waarde binne 'n woonbuurt. Ons vertrou dus dat daar staatgemaak kan word op die Munisipaliteit om ons basiese bestaande belange, waarvoor almal in die buurt 'n hoë prys betaal, te beskerm.

Ons versoek dus dat hierdie aansoek afgekeur sal word.

Mev S Stevens

Eienaar Erf 7974 en Mede-Eienaar Erf 7975



Geteken te Stellenbosch op 12 Oktober 2016

ERF 7978 SB

465860

Mev S Stevens
/Erf 7974
Repensstraat 10
Paradyskloof
Stellenbosch
18 Februarie 2016

Direkteur: Beplanning en Ekonomiese Ontwikkeling
Stellenbosch Munisipaliteit

Aansoek No LU/4439:

**AANSOEK VIR TYDELIKE AFWYKING OP ERF 7978, STELLENBOSCH TEN EINDE VIER
ADDISIONELE PERSONE OP DIE PERSEEL TOE TE LAAT**

Vir besware aangeteken in die hoedanigheid van eienaar van Erf 7974 teen bogenoemde aansoek, sien asseblief my besware soos uiteengesit en onderteken as mede eienaar van Erf 7975.

Uit laasgenoemde behoort dit duidelik te wees dat geen van die besware soos ingedien, 'n negatiewiteit teenoor enige van die partye weerspieël nie en bloot uit 'n praktiese en realistiese oogpunt gemaak word.

Eienaar Erf 7974:  Mev S Stevens



Geteken te Stellenbosch op ...18 Februarie 2016

PLAN: _____
STADSNO: _____
OFFISIELE PERSEELNO: **E7978S**
_____ **411003**

Mnr en Mev Stevens
Repensstraat 12
Paradyskloof
Stellenbosch

Direkteur: Beplanning en Ekonomiese Ontwikkeling
Stellenbosch Munisipaliteit

Aansoek No LU/4439:

**AANSOEK VIR TYDELIKE AFWYKING OP ERF 7978, STELLENBOSCH TEN EINDE VIER
ADDISIONELE PERSONE OP DIE PERSEEL TOE TE LAAT**

Ons twee eiendomme grens direk aan erf 7978 en hiermee teken ons ten sterkste beswaar aan teen bogenoemde aansoek om die volgende redes:

- Die aanwending van die eiendom soos versoek impliseer 'n kommune leefstyl wat onaanvaarbaar binne hierdie stil residensiële buurt is, soos wat hierdie woonbuurt tans funksioneer volgens die oorspronklike ontwerp/uitleg van woonerwe en strate.
- Om verskeie voor die handliggende redes (geraas, algemene versorging van eiendom ens.) impakteer kommunes negatief op waardertoevoeging van eiendom binne 'n buurt en sal dit in hierdie geval beslis ook 'n negatiewe effek hê op die twee, alreeds problematiese, aansluitingspunte met die R44 (wat as 'n hoë volume mobiliteits roete moet funksioneer).
- Ondervinding en die geskiedenis toon dat goedkeuring vir 'n kommune leefstyl vir een eiendom 'n president skep om aan ander eiendomme in die buurt dieselfde regte te verleen, en sodoende bogenoemde probleem te onderskryf en te vererger.
- Ondervinding en die geskiedenis toon ook dat geïsoleerde ad-hoc grondgebruik-goedkeurings later 'n negatiewe impak het op verkeer, indien owerhede nie bedag is op die toekomstige groter verkeersimpak van die somtotaal van al die ad-hoc goedkeurings nie.
- Die oorspronklike woonerf- en straatuitleg van die woonbuurt maak tans nie voorsiening vir 'n verhoogte konsentrasie van inwoners per woonerf/ straat nie.
- Addisionele vier persone per woonerf beteken in realiteit vier addisionele motors per woonerf, aangesien hierdie woonbuurt nog nie deur enige publieke vervoer alternatiewe bedien word nie.
- Bogenoemde het 'n direkte invloed op die huidige twee, alreeds problematiese, aansluitingspunte met die R44, wat beteken dat die Raad nie 'n ander keuse het, as om ook die **Provinsiale Departement van Vervoer en Publieke Werke** in hierdie aansoek te ken nie, aangesien laasgenoemde die beherende gesag van die betrokke gedeelte van die R44 is.

Vir redes soos hierbo uiteengesit en aangesien die eiendom alreeds as 'n kommune bedryf word, met gevolg dat groot groepe besoekers alreeds in die straat parkeer en geraas van partytjies alreeds 'n probleem skep (soos wat beaam sal word deur inwoners wat agter aan die betrokke eiendom grens), kan ons ongelukkig nie anders as om beswaar teen die aansoek in te dien nie.



Ons vertrou dus dat die Raad al bogenoemde inligting, asook die ander besware/geen besware ontvang op hierdie aansoek, saam met die aansoek sal verwys na die **Provinsiale Departement van Vervoer en Publieke Werke**, aangesien hierdie aansoek 'n president skep vir verdere soortgelyke aansoeke en dus die verkeersvolume op die R44 (waarvan laasgenoemde Departement die beherende gesag is) direk raak. Ons vertrou gevolglik dat hierdie aansoek afgekeur sal word totdat 'n volledige verkeersimpakstudie gedoen is, saam met 'n moontlike herontwerp van hierdie woonbuurt en die twee problematiese toegangspunte tot die R44, ten einde moontlike toekomstige hoë digheidsontwikkeling vir Stellenbosch te kan akkomodeer sonder dat dit 'n negatiewe effek sal hê op inwoners se lewenskwaliteit of op eiendomswaardes.

Eienaars Erf 7975:



Mnt ACA Stevens



Mev S Stevens

Geteken te Stellenbosch op 18 Februarie 2016



Andre van Helsdingen

8 Repens Street Paradysdoof Stellenbosch 021 8801846

February 8, 2016

N Dafeti/ S Newman
 Erf 7978 Stellenbosch
 2016/02/08
 LU/4439



Dear Sir / Madam

With reference to the application for 4 additional persons on the premises, I strongly object.

The reasons are:

- 1) This allows a commune type of occupation on this erf
- 2) A commune occupation leads to student occupation on the erf.
- 3) The maintenance of the erf is not done as there is no single individual doing it.
- 4) The condition of the garden/ property will drop and influence the suburb's value.
- 5) There are currently students staying there and there is already noise disturbance.
- 6) There are enough families seeking accomodation in Stellenbosch to let this house to.

Sincerely

 Andre van Helsdingen
 Erf 7973

E-79785

410109

15 Februarie 2016

Stellenbosch Munisipaliteit
Direkteur: Beplanning en Ekonomiese Ontwikkeling
Posbus 17
Stellenbosch
7599

Liewe Heer/Madam

BESWARE TEEN DIE AANSOEK VIR 'N TYDELIKE AFWYKING OP ERF 7978, STELLENBOSCH

Aansoek nommer: LU/4439

APPLIKANT: M.E. PIENAAR

Ons wil graag beswaar aanteken teen die bogenoemde afwyking as gevolg van die volgende redes:

- 'n Tydelike onderverdeling van 'n huis, waar vyf of meer aparte mense woon wat bestaan uit jong mense, meestal studente, pas nie by die karakter van die buurt nie. Die munisipaliteit het reeds 'n gedeelte van die dorp naby die universiteit vir studentebehuising gesoneer en inwoners van Paradyskloof het juis as keuse ver van dit gekoop;
- Omdat dit duidelik is dat die meeste inwoners studente is, is daar min kontinuiteit; dus, 'n groot persentasie van die inwoners gaan op 'n jaarlikse basis verander. Alhoewel die groep mense wat nou daar is geen probleme veroorsaak nie, het ons geen versekering dat die volgende huurders dieselfde gaan wees nie.
- Die waarde van eiendom wat langs studentebehuising geleë is in 'n buurt soos Paradyskloof, word meestal negatief beïnvloed.

Ons wil duidelik uitwys dat ons geen persoonlike probleme met die eienaars van die bogenoemde erf het nie en dat ons hul sowel as die huidige huurders wat tans in die huis woon, positief ervaar. Ons sal egter verkies dat die huis nie 'n semi-permanente kommune word nie.

By voorbaat dankie

Die uwe


Iris Grobler

E 79785

409 388




Stephanie Dippenaar

SKRIFTELIKE BESWAAR

VAN: JEAN BUYS & MARINA BUYS

ADDRESS: 9 FLORIDA STRAAT

PARADYSKLOOF

STELLENBOSCH

DATUM: 14 FEBRUARIE 2016

AAN: DIREKTEUR: BEPLANNING & EKONOMIESE ONTWIKKELING

VERW: Erf 7978, Stellenbosch; AANSOEK: LU/4439; APPLIKANT ME PIENAAR; 7 FLORIDA ST

BESWARE TEEN TYDELIKE AFWYKING

Paradyskloof is 'n gesinsbuurt met 'n karakter waar bure jaarlange vriendskappe met mekaar bou en huisgesinne betrokke is by die algemene versorging en beveiliging van die buurt. Kopers wat investeer in huise in Paradyskloof word aangetrek deur die stil voorstedelike karakter van die buurt waar huisgesinne oor die algemeen werkende mense met kinders is.

Huiseienaars belê in en skenk aandag aan hul huise sodat dit 'n goed versorde voorkoms het asook dat die erwe netjies en goed versorg is. Die paaie, motorinritte of erwe staan nie vol geparkeer met motors nie en laatnag partytjies is nie algemeen nie. Paradyskloof is NIE bekend as 'n buurt met kommunes of studentehuise nie. By hierdie tipe woonplekke word tuin instandhouding en huis onderhoud maklik afgeskeep. Eienaars is traag om te investeer in die opknapping en estetiese voorkoms van die huise terwyl die jong mense daar woonagtig is.

Op 'n tegniese punt aangaande die ingehandigde huisplanne: Die vloerplan dui 'n kantoor en ateljee aan, maar in werklikeheid word hierdie area reeds op hierdie oomblik gebruik as 'n woon-slaapkamer eenheid, met ander woorde alle moontlike kamers op die erf word nou alreeds gebruik as woon-slaapkamers.

Om al die bovermelde redes is ons ten sterkste gekant teen die voorgestelde verandering van die "tydelike" afwyking versoek op erf 7978.

Ons belegging sal beslis negatief beïnvloed word deur hierdie afwyking. Die karakter van die woonbuurt sal nadelig verander word deur 'n kommune / studente huis reg lanks ons huis. Die aansoek is dus glad nie aanvaarbaar vir ons nie.

Die uwe



JEAN BUYS

0832756161



MARINA BUYS

0829401116



4 Februarie 2015

Die Direkteur Beplanning en Ekonomiese Ontwikkeling
Stellenbosch Munisipaliteit
Pleinstraat
Stellenbosch
7600



RE: Aansoek om tydelike afwyking nr LU/4439 op erf 7978 bekend as Floridastraat 7, Paradyskloof vir toelating tot verblyfreg vir vier ekstra persone.

Geagte Meneer/Mevrou/Mejuffrou,

Onno en Marike UBBINK, eienaars erf 7950 bekend as Floridastraat 10, Paradyskloof,
teken met die skrywe beswaar aan teen bogenoemde aansoek.

Dis algemeen bekend dat 'n eienaar wat bereid is om sy eiendom so te verhuur meer inkomste so kan genereer as met 'n konvensionele residensiele verhuur. Ongelukkig kom dit teen 'n prys ten koste van bure wat in die afwesigheid van die verhuurder die spyt moet afbyt ten opsigte van verhoogde geraasvlakke, verhoogde toeloop van besoekers met gepaardgaande straatparkering en 'n verlaagde eiendomsmarkwaarde.

Neem asb. kennis dat bogenoemde eiendom reeds, tot ons frustrasie, onwettig so verhuur word. Behalwe die ekstra toeloop en lawaaierige partytjies, word daar rondom 2/3 uur in die oggend in direkte sig en hoor afstand van ons slaapkamer in die straat gekul, motordeure geklap en vriende afgesien – alles nie normale praktyke vir 'n voorheen rustige residensiele woonbuurt.

Ons is net meer as 'n jaar gelede Stellenbosch toe verplaas en het navorsing gedoen oor Stellenbosch se woonbuurtes en pertinent gekies vir die dunder Paradyskloof as rustige residensiele woonbuurt bo 'n goedkoper Simonswyk, 'n klipgooi van my werk af, waar diesulke tipe verhurings aan die orde van die dag is.

Hiermee doen ons dan 'n dringende beroep op u as munisipaliteit om ons as bure, wat gekies het om ons te vestig en ons belegging te maak in 'n rustige residensiele woonbuurt soos Paradyskloof, se belange op die hart te dra en ons te beskerm deur die aansoek af te keur. Op die end word 8 omringende bure, 'n straat en woonbuurt in sy geheel geraak ten koste van 'n gierige huiselenaar wat 'n verhoogde huurinkomste wil genereer ten koste van hulle bure en mede belastingbetalers. Ons reken op u om ons belange op die hart te dra.

Vriendelike groete,

Onno en Marike UBBINK

E79785

407037

Floridastraat 10
Paradyskloof
7600

4 Februarie 2015

Die Direkteur Beplanning en Ekonomiese Ontwikkeling
Stellenbosch Munisipaliteit
Pleinstraat
Stellenbosch
7600



Aanmelding en klagte: Floridastraat 7, Paradyskloof (erf 7978) word onwettig bedryf as 'n kommune.

Geagte Meneer/Mevrou/Mejuffrou,

Ons (Onno en Marike UBBINK, eienaars erf 7950 bekend as Floridastraat 10, Paradyskloof) wil as oorkanste bure van Floridastraat 7, Paradyskloof (erf 7978) graag onder u aandag bring dat die genoemde eiendom tans, sonder dat die nodige goedkeurings in plek is, as 'n kommune bedryf word – vir ons wat daagliks daarmee gekonfronteer word 'n groot frustrasie en seeroog!

Hiermee versoek ons u om asb die belange van ons as mede belastingbetaler op die hart te dra, die situasie te ondersoek en die nodige stappe te neem dat die praktyk gestop word.

Baie dankie byvoorbaat.

Vriendelike groete,

Handwritten notes on a form: E 79785 and 407030

Onno en Marike UBBINK



4 Februarie 2015

Die Direkteur Beplanning en Ekonomiese Ontwikkeling
Stellenbosch Munisipaliteit
Pleinstraat
Stellenbosch
7600



RE: Aansoek om tydelike afwyking nr LU/4439 op erf 7978 bekend as Floridastraat 7, Paradyskloof vir toelating tot verblyfreg vir vier ekstra persone.

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Ons is net meer as 'n jaar gelede Stellenbosch toe verplaas en het navorsing gedoen oor Stellenbosch se woonbuurtes en pertinent gekies vir die duurder Paradyskloof as rustige residensiele woonbuurt bo 'n goedkoper Simonswyk, 'n klipgooi van my werk af, waar diesulke tipe verhuring aan die orde van die dag is.

Hiermee doen ons dan 'n dringende beroep op u as munisipaliteit om ons as bure, wat gekies het om ons te vestig en ons belegging te maak in 'n rustige residensiele woonbuurt soos Paradyskloof, se belange op die hart te dra en ons te beskerm deur die aansoek af te keur. Op die end word 8 omringende bure, 'n straat en woonbuurt in sy geheel geraak ten koste van 'n gierige huiseienaar wat 'n verhoogde huurinkomste wil genereer ten koste van hulle bure en mede belastingbetalers. Ons reken op u om ons belange op die hart te dra.

Vriendelike groete,

Onno en Marike UBBINK

M. Ubbink

E 79785

407037

ERF 7978 S

465844

10 Florida Street
7600 Paradyskloof

7 October 2016

Your reference: Erf 7978, Stellenbosch

The Director Planning & Economic Development
Stellenbosch Municipality



Dear Sir/Madam

Objection to "Application for special development on Erf 7978, Stellenbosch (Application LU/4439)"

This letter does not replace/recall any of our previous communications on this matter.

We received two communications:

- (1) application for temporary departure (dated 15/01/2016) and
- (2) application for a special development (dated 06/09/2016)

where the latter stated the first communication was in error, despite the fact that the owners of Erf 7978 informed us prior to the first communication the accommodation of additional persons will be temporary. For us the second letter came as a surprise and is viewed to be a delaying technique.

Please note, that the abovementioned property is being illegally used for the purposes of an Accommodation Establishment since December 2015, accommodating at least 5 additional persons. A late response from the municipality (dated 19 July 2016) to our complaint (dated 4 February 2016) confirms this contravention of the zoning scheme regulation (See Annexure A). The reason given for the delayed response was that it was filed incorrectly?

In our earlier objection and complaint we specifically stated that we as tax payers rely on the municipality to protect us against zoning violations and departures on the original zoning where such rezoning comes at the cost to neighbours and the neighbourhood. In the light of the many errors by municipal officials, what guarantee do we have that this matter will be dealt with appropriately?

Herewith additional information to our earlier objection to strengthen our case that we as neighbours do not want a special development that enables the owner to provide accommodation for four additional persons.

Below are street view pictures of the property - the current practise is obviously a sore eye that will have a negative influence on the market value of the neighbouring properties.




Furthermore, the current practice and information provided in the applications deviate from each other – e.g. parking works differently, more than 4 additional persons are accommodated and the “kantoor / ateljee” is also used for accommodation. Going forward we have the concern that those who do not respect the law and rights of neighbours now, will continue doing so. Once rezoning is granted we will lose our grip on the residential feeling and look of our neighbourhood. We paid a premium for it and feel it is right to protect it.

Kind regards

 M. Ubbink

Onno and Marike Ubbink
10 Florida Street (Erf 7978)
Cell: 083 634 7983

JEAN & MARINA BUIJS
(ERF 7977)

M Buijs 

9/10/2016

FIMUS GAOBLER

 (ERF SB 7949)

10/10/2016.

I.T. VAN HELSDINGEN

 (ERF NO 7973)

11/10/2016

Danie + Sarie Mastert (Namens Sarie' Joubert Trust)

Erf No 7951

Mastert

12/10/16

Annexure A

On 19/07/2016 10:14 AM, Clayton Jacobs wrote:

Dear Onno

COMPLAINT NO 12/2/3/1/64: USE OF PREMISES ERF 7978 AT 7 FLORIDASTRAAT, IDAS VALLEY, STELLENBOSCH

Your complaint regarding the abovementioned property refers.

Officials have investigated your complaint and such investigation reveals that the abovementioned property is being used for the purposes of an Accommodation Establishment. This use constitutes a contravention of the zoning scheme regulations as applicable to this erf.

The owners/operators have been instructed to cease the unlawful use within 30 days of the notice served on them dated 18 July 2016.

Please note the following:

- 1 Whilst the owners/operators may apply for the appropriate land use rights, they must still cease the unlawful use within the period set out in the notice.
- 2 In most cases, criminal prosecution will be the preferred method of instituting legal proceedings. It takes several months to obtain a criminal conviction.
- 3 You may be required to give evidence of the hearing of this matter.

You will be advised of any progress after the follow up inspection has been conducted.

Yours faithfully

Kind regards,

Clayton Jacobs
Senior Land Use Inspector
Planning & Economic Development

T: +27 21 888 8951 • C: +27 78 637 5032 • F: +27 886 6899
17 Plein Street, Stellenbosch, 7600 • PO Box 17, Stellenbosch, 7599

18 Feb. 2016.

Liewe bure, geagte belangegroep en belastingbetalers,

In verband met:

MUNISIPALITEIT STELLENBOSCH

BEPLANNING EN EKONOMIESE ONTWIKKELING

Datum: 17-02-2016.

U verwysing: Erf 7978, Stellenbosch.

Aansoeknr: LU/4439.

AANSOEK VIR "TYDELIKE AFWYKING" OP ERF 7978, STELLENBOSCH:

U Brief van 15 -01-2016 verwys

Applikant: M E Pienaar.

Erfnr: 7978, Stellenbosch.

Adres: Floridastraat 7, Paradyskloof.

Om te bevestig: *(Objective)*

Ons doen nie aansoek om toestemming vir 'n kommune nie, maar wel vir 'n reg om vier loseerders in te neem volgens die Stellenbosch Soneringskema Julie 1996 Regulasies waarvolgens ons huis in 1993 ontwerp en gebou is.

Uittreksel van die regulasies: *(Extract from zoning scheme)*

The accomodation of additional persons, whether for reward or otherwise, as described in each case:

In the case of a dwelling house occupied by a family, not more than four additional persons who are not members of such a family; or

in the case of a dwelling house occupied by a single person, not more than four additional persons who are not related to such a single person; provided that such single person shall be the registered owner, or a direct blood relation of the registered owner, of the dwelling house concerned.

Ons het baie seker gemaak dat baie omvattende voorwaardes met die loseerders opgestel word. *There are comprehensive conditions set up with boards -*

Ons het deurentyd direkte toegang en beheer oor ons huis. *we have direct access and control over our property*

Schalk jr. is die permanente inwoner namens ons. Hy is 'n gekwalifiseerde juwelier, goudsmit en gekwalifiseerde rekenaar-vakkundige.

Ons skedule is om self gereeld, op maandelikse basis, vir 'n paar dae te kom oorbly om te verseker dat alles reg verloop en dat ons ons sake en kuier in Stellenbosch en in die Kaap kan kom doen.

Die mening wat die rondte doen, is dat loseerders by ons die waarde van omliggende eiendom sal benadeel. Ons indruk is egter dat die teendeel waar is.

Stellenbosch is geslagte lank 'n studente-dorp en die meeste mense belê juis daarom hier. Daar is selfs woonstelle opgerig om woonplek aan te vul.

18/02/16 17:57:37

38

ERF 7978 SB

470932

Councillor FJ Badenhorst
 17 Watergang Road
 Aan De Weber Estate
 Webbersvallei Road
 7600
 021 8088350
 0826541048

The Stellenbosch Municipality
 Land Use Management Branch
 Plein Street
 Stellenbosch
 ATT: N Dafeti
 021 8088640
 01 November 2016

BY HAND

Your Ref: ERF 7978, Stellenbosch
 Appl No: LU/4439



OBJECTION TO APPLICATION FOR A SPECIAL DEVELOPMENT ON ERF 7978, STELLENBOSCH

Please be advised that I wish to have my objections/comments noted, as Ward Councillor, Ward 21 with regards to the above mentioned application.

On inspection of the property and after discussions with neighbours, it is clear that said property is currently used for student accommodation and further development will facilitate the same.

1. A dwelling which consists mainly/only of students is in conflict with the character of the surrounding neighbourhood.
2. Due to the location of the Campus on the opposite side of town, accommodating students in Paradyskloof will lead to further congestion of traffic.
3. There is ample alternative accommodation available for students in areas already identified and zoned as such by the municipality
4. Due to the transient nature of students, there will be no guarantee that the current owners son, himself a student, will continue representing the owner (who resides off site) on the property in the future.
5. Neighbours fear that a dwelling consisting of mostly students will affect the value of their adjacent properties.

With reference to the above, I respectfully request that said application is carefully considered, taking all parties rights into consideration.

Cllr Frederik J Badenhorst

1 FEBRUARIE 2016

BESWAAR TEEN AANSOEK VIR AFWYKING VAN ERF 7978

Hiermee, ons beswaar teen die beoogde afwyking van erf 7978.

Die Paradyskloof woonbuurt, asook baie ander woonbuurtes in die dorp, is nie 'n studente woonbuurt of 'n area waar kommunes is nie. Daar word kamers aangrensend tot 'n eiendom verhuur in die area, maar met oordeelkundigheid en ook met goedkeuring van die plaaslike owerheid. Ons het belê in eiendom in 'n woonbuurt waar gesinne woon en nie 'n studente omgewing nie. Indien goedkeuring gegee word vir afwyking van die bestaande, sal dit beslis 'n negatiewe uitwerking hê op die buurt as geheel.

ERF 7951 – SARIE JOUBERT TRUST

Sastor

TRUSTEE



Handwritten file number: E 79785
Handwritten number: 406836

38

REF:	E 7978 SB
DATE:	
NO:	470932

Councillor FJ Badenhorst
 17 Watergang Road
 Aan De Weber Estate
 Webbersvallei Road
 7600
 021 8088350
 0826541048

The Stellenbosch Municipality
 Land Use Management Branch
 Plein Street
 Stellenbosch
 ATT: N Dafeti
 021 8088640
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5. Neighbours fear that a dwelling consisting of mostly students will affect the value of their adjacent properties.

With reference to the above, I respectfully request that said application is carefully considered, taking all parties rights into consideration.

Clr Frederik J Badenhorst

Mev S Stevens
/Erf 7974 en 7975
Repensstraat 10+12
Paradyskloof
Stellenbosch
12 Oktober 2016

Direkteur: Beplanning en Ekonomiese Ontwikkeling
Stellenbosch Munisipaliteit

See reply 20

Aansoek No LU/4439:

**AANSOEK VIR 'N SPESIALE ONTWIKKELING OP ERF 7978, STELLENBOSCH TEN EINDE VIER
ADDISIONELE PERSONE OP DIE PERSEEL TOE TE LAAT**

Verwys asseblief my kommentaar op oorspronklike aansoek (gedateer 15 Januarie 2016) vir tydelike afwyking op Erf 7978. Ek het skriftelik erkenning van ontvangs van my skrywes ontvang en het telefonies met S. Newman bevestig dat dit wel by julle op rekord is.

Hierdie skrywe (gedateer 12 Oktober 2016) verander nie, en vervang nie, enige aspek van my oorspronklike kommentaar nie, maar bevestig slegs my bekommernis soos in my kommentaar op die oorspronklike aansoek uiteengesit.

Geskiedenis toon duidelik dat goedkeuring vir een so 'n ontwikkeling in 'n woonbuurt aanleiding gee tot meer soortgelyke ontwikkelings, wat negatief sal impakteer op die verkeer, lewenskwaliteit en eiendoms waarde binne 'n woonbuurt. Ons vertrou dus dat daar staatsgemaak kan word op die Munisipaliteit om ons basiese bestaande belange, waarvoor almal in die buurt 'n hoë prys betaal, te beskerm.

Ons versoek dus dat hierdie aansoek afgekeur sal word.



Mev S Stevens

Eienaar Erf 7974 en Mede-Eienaar Erf 7975



Geteken te Stellenbosch op 12 Oktober 2016

Erf 7978 SB

465860

Mev S Stevens
/Erf 7974
Repensstraat 10
Paradyskloof
Stellenbosch
18 Februarie 2016

Direkteur: Beplanning en Ekonomiese Ontwikkeling
Stellenbosch Munisipaliteit

Aansoek No LU/4439:

**AANSOEK VIR TYDELIKE AFWYKING OP ERF 7978, STELLENBOSCH TEN EINDE VIER
ADDISIONELE PERSONE OP DIE PERSEEL TOE TE LAAT**

Vir besware aangeteken in die hoedanigheid van eienaar van Erf 7974 teen bogenoemde aansoek, sien asseblief my besware soos uiteengesit en onderteken as mede eienaar van Erf 7975.

Uit laasgenoemde behoort dit duidelik te wees dat geen van die besware soos ingedien, 'n negatiewe teenoor enige van die partye weerspieël nie en bloot uit 'n praktiese en realistiese oogpunt gemaak word.

Eienaar Erf 7974:


Mev S Stevens



Geteken te Stellenbosch op ...18 Februarie 2016

FILE NO	
SOEK NO	E 7978 S
PLANNING NO	411 003

L11051

Paradyskloof
StellenboschDirekteur: Beplanning en Ekonomiese Ontwikkeling
Stellenbosch MunisipaliteitAansoek No LU/4439:**AANSOEK VIR TYDELIKE AFWYKING OP ERF 7978, STELLENBOSCH TEN EINDE VIER
ADDISIONELE PERSONE OP DIE PERSEEL TOE TE LAAT**

Ons twee eiendomme grens direk aan erf 7978 en hiermee teken ons ten sterkste beswaar aan teen bogenoemde aansoek om die volgende redes:

- Die aanwending van die eiendom soos versoek impliseer 'n kommune leefstyl wat onaanvaarbaar binne hierdie stil residensiële buurt is, soos wat hierdie woonbuurt tans funksioneer volgens die oorspronklike ontwerp/uitleg van woonerwe en strate.
- Om verskeie voor die handliggende redes (geraas, algemene versorging van eiendom ens.) impakteer kommunes negatief op waardertoevoeging van eiendom binne 'n buurt en sal dit in hierdie geval beslis ook 'n negatiewe effek hê op die twee, alreeds problematiese, aansluitingspunte met die R44 (wat as 'n hoë volume mobiliteits roete moet funksioneer).
- Ondervinding en die geskiedenis toon dat goedkeuring vir 'n kommune leefstyl vir een eiendom 'n president skep om aan ander eiendomme in die buurt dieselfde regte te verleen, en sodoende bogenoemde probleem te onderskryf en te vererger.
- Ondervinding en die geskiedenis toon ook dat geïsoleerde ad-hoc grondgebruik-goedkeurings later 'n negatiewe impak het op verkeer, indien owerhede nie bedag is op die toekomstige groter verkeersimpak van die somtotaal van al die ad-hoc goedkeurings nie.
- Die oorspronklike woonerf- en straatuitleg van die woonbuurt maak tans nie voorsiening vir 'n verhoogte konsentrasie van inwoners per woonerf/ straat nie.
- Addisionele vier persone per woonerf beteken in realiteit vier addisionele motors per woonerf, aangesien hierdie woonbuurt nog nie deur enige publieke vervoer alternatiewe bedien word nie.
- Bogenoemde het 'n direkte invloed op die huidige twee, alreeds problematiese, aansluitingspunte met die R44, wat beteken dat die Raad nie 'n ander keuse het, as om ook die **Provinsiale Departement van Vervoer en Publieke Werke** in hierdie aansoek te ken nie, aangesien laasgenoemde die beherende gesag van die betrokke gedeelte van die R44 is.

Vir redes soos hierbo uiteengesit en aangesien die eiendom alreeds as 'n kommune bedryf word, met gevolg dat groot groepe besoekers alreeds in die straat parkeer en geraas van partytjies alreeds 'n probleem skep (soos wat beaam sal word deur inwoners wat agter aan die betrokke eiendom grens), kan ons ongelukkig nie anders as om beswaar teen die aansoek in te dien nie.



Ons vertrou dus dat die Raad al bogenoemde inligting, asook die ander besware/geen besware ontvang op hierdie aansoek, saam met die aansoek sal verwys na die **Provinsiale Departement van Vervoer en Publieke Werke**, aangesien hierdie aansoek 'n president skep vir verdere soortgelyke aansoeke en dus die verkeersvolume op die R44 (waarvan laasgenoemde Departement die beherende gesag is) direk raak. Ons vertrou gevolglik dat hierdie aansoek afgekeur sal word totdat 'n volledige verkeersimpakstudie gedoen is, saam met 'n moontlike herontwerp van hierdie woonbuurt en die twee problematiese toegangspunte tot die R44, ten einde moontlike toekomstige hoë digtheidsontwikkeling vir Stellenbosch te kan akkomodeer sonder dat dit 'n negatiewe effek sal hê op inwoners se lewenskwaliteit of op eiendomswaardes.

Eienaars Erf 7975:


Mnr ACA Stevens


Mev S Stevens

Geteken te Stellenbosch op 18 Februarie 2016

19



Andre van Helsdingen

8 Repens Street Paradyskloof Stellenbosch 021 8801846

February 8, 2016

N Dafeti/ S Newman
Erf 7978 Stellenbosch
2016/02/08
LU/4439



Dear Sir / Madam

With reference to the application for 4 additional persons on the premises, I strongly object.

The reasons are:

- 1) This allows a commune type of occupation on this erf
- 2) A commune occupation leads to student occupation on the erf.
- 3) The maintenance of the erf is not done as there is no single individual doing it.
- 4) The condition of the garden/ property will drop and influence the suburb's value.
- 5) There are currently students staying there and there is already noise disturbance.
- 6) There are enough families seeking accomodation in Stellenbosch to let this house to.

Sincerely

 Andre van Helsdingen
 Erf 7973

E-79785
 410109

15 Februarie 2016

Stellenbosch Munisipaliteit
 Direkteur: Beplanning en Ekonomiese Ontwikkeling
 Posbus 17
 Stellenbosch
 7599

Liewe Heer/Madam

BESWARE TEEN DIE AANSOEK VIR 'N TYDELIKE AFWYKING OP ERF 7978, STELLENBOSCH

Aansoek nommer: LU/4439

APPLIKANT: M.E. PIENAAR

Ons wil graag beswaar aanteken teen die bogenoemde afwyking as gevolg van die volgende redes:

- 'n Tydelike onderverdeling van 'n huis, waar vyf of meer aparte mense woon wat bestaan uit jong mense, meestal studente, pas nie by die karakter van die buurt nie. Die munisipaliteit het reeds 'n gedeelte van die dorp naby die universiteit vir studentebehuising gesoneer en inwoners van Paradyskloof het juis as keuse ver van dit gekoop;
- Omdat dit duidelik is dat die meeste inwoners studente is, is daar min kontinuiteit; dus, 'n groot persentasie van die inwoners gaan op 'n jaarlikse basis verander. Alhoewel die groep mense wat nou daar is geen probleme veroorsaak nie, het ons geen versekering dat die volgende huurders dieselfde gaan wees nie.
- Die waarde van eiendom wat langs studentebehuising geleë is in 'n buurt soos Paradyskloof, word meestal negatief beïnvloed.

Ons wil duidelik uitwys dat ons geen persoonlike probleme met die eienaars van die bogenoemde erf het nie en dat ons hul sowel as die huidige huurders wat tans in die huis woon, positief ervaar. Ons sal egter verkies dat die huis nie 'n semi-permanente kommune word nie.

By voorbaat dankie

Die uwe

.....
 Irus Grobler

.....
 Stephanie C Dippenaar



7978

SKRIFTELIKE BESWAAR

VAN: JEAN BUYS & MARINA BUYS

ADDRESS: 9 FLORIDA STRAAT

PARADYSKLOOF

STELLENBOSCH

DATUM: 14 FEBRUARIE 2016

AAN: DIREKTEUR: BEPLANNING & EKONOMIESE ONTWIKKELING

VERW: Erf 7978, Stellenbosch; AANSOEK: LU/4439; APPLIKANT ME PIENAAR; 7 FLORIDA ST

BESWARE TEEN TYDELIKE AFWYKING

Paradyskloof is 'n gesinsbuurt met 'n karakter waar bure jaarlange vriendskappe met mekaar bou en huisgesinne betrokke is by die algemene versorging en beveiliging van die buurt. Kopers wat investeer in huise in Paradyskloof word aangetrek deur die stil voorstedelike karakter van die buurt waar huisgesinne oor die algemeen werkende mense met kinders is.

Huiseienaars belê in en skenk aandag aan hul huise sodat dit 'n goed versorde voorkoms het asook dat die erwe netjies en goed versorg is. Die paaie, motorinritte of erwe staan nie vol geparkeer met motors nie en laatnag partytjies is nie algemeen nie. Paradyskloof is NIE bekend as 'n buurt met kommunes of studentehuise nie. By hierdie tipe woonplekke word tuin instandhouding en huis onderhoud maklik afgeskeep. Eienaars is traag om te investeer in die opknapping en estetiese voorkoms van die huise terwyl die jong mense daar woonagtig is.

Op 'n tegniese punt aangaande die ingehandigde huisplanne: Die vloerplan dui 'n kantoor en ateljee aan, maar in werklikeheid word hierdie area reeds op hierdie oomblik gebruik as 'n woon-slaapkamer eenheid, met ander woorde alle moontlike kamers op die erf word nou alreeds gebruik as woon-slaapkamers.

Om al die bovermelde redes is ons ten sterkste gekant teen die voorgestelde verandering van die "tydelike" afwyking versoek op erf 7978.

Ons belegging sal beslis negatief beïnvloed word deur hierdie afwyking. Die karakter van die woonbuurt sal nadelig verander word deur 'n kommune / studente huis reg lanks ons huis. Die aansoek is dus glad nie aanvaarbaar vir ons nie.

Die uwe



JEAN BUYS

0832756161



MARINA BUYS

0829401116



Floridastraat 10
Paradyskloof
7600

4 Februarie 2015

Die Direkteur Beplanning en Ekonomiese Ontwikkeling
Stellenbosch Munisipaliteit
Pleinstraat
Stellenbosch
7600



RE: Aansoek om tydelike afwyking nr LU/4439 op erf 7978 bekend as Floridastraat 7, Paradyskloof vir toelating tot verblyfreg vir vier ekstra persone.

Geagte Meneer/Mevrou/Mejuffrou,

Onno en Marike UBBINK, eienaars erf 7950 bekend as Floridastraat 10, Paradyskloof,
teken met die skrywe beswaar aan teen bogenoemde aansoek.

Dis algemeen bekend dat 'n eienaar wat bereid is om sy eiendom so te verhuur meer inkomste so kan genereer as met 'n konvensionele residensiele verhuring. Ongelukkig kom dit teen 'n prys ten koste van bure wat in die afwesigheid van die verhuurder die spit moet afbyt ten opsigte van verhoogde geraasvlakke, verhoogde toeloop van besoekers met gepaardgaande straatparkering en 'n verlaagde eiendomsmarkwaarde.

Neem asb. kennis dat bogenoemde eiendom reeds, tot ons frustrasie, onwettig so verhuur word. Behalwe die ekstra toeloop en lawaaierige partytjies, word daar rondom 2/3 uur in die oggend in direkte sig en hoor afstand van ons slaapkamer in die straat gekuier, motordeure geklap en vriende afgesien – alles nie normale praktyke vir 'n voorheen rustige residensiele woonbuurt.

Ons is net meer as 'n jaar gelede Stellenbosch toe verplaas en het navorsing gedoen oor Stellenbosch se woonbuurtes en pertinent gekies vir die duurder Paradyskloof as rustige residensiele woonbuurt bo 'n goedkoper Simonswyk, 'n klipgooi van my werk af, waar diesulke tipe verhurings aan die orde van die dag is.

Hiermee doen ons dan 'n dringende beroep op u as munisipaliteit om ons as bure, wat gekies het om ons te vestig en ons belegging te maak in 'n rustige residensiele woonbuurt soos Paradyskloof, se belange op die hart te dra en ons te beskerm deur die aansoek af te keur. Op die end word 8 omringende bure, 'n straat en woonbuurt in sy geheel geraak ten koste van 'n gierige huiseienaar wat 'n verhoogde huurinkomste wil genereer ten koste van hulle bure en mede belastingbetalers. Ons reken op u om ons belange op die hart te dra.

Vriendelike groete,

Onno en Marike UBBINK

M. Ubbink

E79785

407037

Erf 7978
Stellenbosch

Floridastraat 10
Paradyskloof
7600

4 Februarie 2015

Die Direkteur Beplanning en Ekonomiese Ontwikkeling
Stellenbosch Munisipaliteit
Pleinstraat
Stellenbosch
7600



Aanmelding en klage: Floridastraat 7, Paradyskloof (erf 7978) word onwettig bedryf as 'n kommune.

Geagte Meneer/Mevrou/Mejuffrou,

Ons (Onno en Marike UBBINK, eienaars erf 7950 bekend as Floridastraat 10, Paradyskloof) wil as oorkanste bure van Floridastraat 7, Paradyskloof (erf 7978) graag onder u aandag bring dat die genoemde eiendom tans, sonder dat die nodige goedkeurings in plek is, as 'n kommune bedryf word – vir ons wat daaglik daarmee gekonfronteer word 'n groot frustrasie en seeroog!

Hiermee versoek ons u om asb die belange van ons as mede belastingbetaler op die hart te dra, die situasie te ondersoek en die nodige stappe te neem dat die praktyk gestop word.

Baie dankie byvoorbaat.

Vriendelike groete,

Onno en Marike UBBINK

Form with handwritten details: ERF 7978, 407030



14

1 FEBRUARIE 2016

BESWAAR TEEN AANSOEK VIR AFWYKING VAN ERF 7978

Hiermee, ons beswaar teen die beoogde afwyking van erf 7978.

Die Paradyskloof woonbuurt, asook baie ander woonbuurtes in die dorp, is nie 'n studente woonbuurt of 'n area waar kommunes is nie. Daar word kamers aangrensend tot 'n eiendom verhuur in die area, maar met oordeelkundigheid en ook met goedkeuring van die plaaslike owerheid. Ons het belê in eiendom in 'n woonbuurt waar gesinne woon en nie 'n studente omgewing nie. Indien goedkeuring gegee word vir afwyking van die bestaande, sal dit beslis 'n negatiewe uitwerking hê op die buurt as geheel.

ERF 7951 – SARIE JOUBERT TRUST

Sastor

TRUSTEE



FILE NO:	
REASON:	
COLLATORIAL NO:	E 7978S
	406836



STELLENBOSCH
STELLENBOSCH • PNIEL • FRANSCHHOEK
MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

APPENDIX 6

(APPLICATION FOR A SPECIAL DEVELOPMENT: ERF 7978, PARADYSKLOOF 7
FLORIDA STREET, PARADYSKLOOF, STELLENBOSCH)

COMMENT ON OBJECTIONS

Administrative Officer : Customer Interface & Administration

Planning & Economic Development.

Munisipaliteit Stellenbosch.

23 Jan. 2017.

Geagte Salome Newman,

Erf 7978, Stellenbosch, Aansoeknr: LU/4439:

DRINGEND:

U boodskap van 1 Nov. 2016 verwys. Ons het dit eers op 19 Jan. 2017 per e-pos ontvang.

Ons het reeds 23 jaar gelede in Paradyskloof kom vestig en met oorgawe die beoogde karakter van die omgewing ter harte geneem, met 'n Stellenbosch landelike boustyl, bome en struik, sagte omheinings, ens., volgens die munisipaliteit se riglyne destyds.

Nuwe intekers het egter met voorstedelike boustyl die voorkoms van die buurt volgens ons opinie bederf.

Tuine is op sypaadjies aangelê met die gevolg dat voetgangers, kinderwaentjies en gestremde persone tot die strate beperk is. Dit het 'n "negatiewe impak" op verkeersvloei.

Boulyne is oorskry en onooglike strukture en barrikades met ge-elektrifiseerde bedrading teen misdaad is opgerig.

Ons verwys weer na ons in-diepte, formele reaksie teen besware gedateer 21/22 Julie 2016, aan die munisipaliteit gestuur, waarin die besware van die omringende eienaars individueel en in detail aangespreek word.

Die beswaar van mev. Stevens 12 Okt. 2016, en ander, is ongegrond en ongeldig, byvoorbeeld:

a) Die aanname dat die inname van loseerders aanleiding sal gee tot meer sulke "ontwikkelings" is volgens ons mening 'n emosionele mistasting en verkeerd.

Daar behoort altyd 'n ongeveer konstante proporsionele aantal loseerders, gaste, kinders, tuisbedrywe en huiseienaars wees.

b) Dat so 'n "ontwikkeling", bv. 4 loseerders i.p.v. 'n huisgesin "negatief sal impakteer op die verkeer" is volgens ons mening 'n totale oordrywing. Die verkeersvloei sal konstant bly, afhangende van die totale aantal inwoners wat daar in die buurt is.

Dit is eintlik nuwe dorpsuitbreidings met die addisionele inwoners wat "negatief impakteer" op verkeer.

c) Dat 'n sekere konstante proporsie loseerders, gastehuse en tuisbedrywe in 'n woonbuurt "negatief sal impakteer op lewenskwaliteit" is uit die lug gegryp en verkeerd.

d) Dat 'n sekere konstante proporsie loseerders, gastehuse en tuisbedrywe in 'n woonbuurt "negatief sal impakteer op eiendoms waarde" is verkeerd. Eiendoms waarde sal eerder verlaag word as loseerders, gastehuse en tuisbedrywe afgekeur word.

c) Dit is absurd dat die munisipaliteit nou gevra word om loseerders, gastehuse en tuisbedrywe te verbied om sodoende "ons basiese belange waarvoor almal 'n hoë prys betaal, te beskerm".

Notice to Mr Ubbink by Mr Jacobs dated 19 July 2016:

The application for the above mentioned property is for the accommodation of 4 boarders as per the zoning scheme regulations. It is not a contravention. A reasonable application was lodged in 2015, but without any official objection by the municipality received upto July 2016. Subsequently it transpired that the wrong application forms were produced to the owner, the matter was revisited and another notice was received on 19 Jan. 2017, without municipal disapproval, except for copies of the neighbours' letters and the sequence in which matters developed. We did our best to follow correct application process and believe that our application is within reason. We are in the process of establishing an acceptable occupation of our dwelling as per regulations and are confident it will be to the satisfaction of all concerned. We apologize for any inconvenience the process may have caused to date.

Die veelsydigheid wat in die soneringsregulasies vervat word is eerder 'n aanwys vir 'n woonbuurt.

Die basiese feit is dat 'n woonbuurt dinamies en veranderlik is volgens gesinne wat intrek, groei, verskillende belange en belangstellings uitoefen, oud word en wegtrek en dat die siklusse van die leefwyses so voortgaan.

Die soneringsregulasies maak voorsiening daarvoor. Die enigste beswaar teen sulke "spesiale" gevalle mag wees as steurnis pertinent en gereeld veroorsaak word.

Ons het streng reëlings en ooreenkomste met huurders of loseerders dat, byvoorbeeld, gedurende 'n werksweek en Sondagaande, saans, daar geen steurnis sal wees nie. Enige luidrugtigheid sal slegs binne die normale aanvaarbare norme en tye wees.

"Kommune" het 'n vloekwoord geword. Inteendeel is dit egter 'n noodsaaklike instelling, uit ordelikhed en sekuriteitsoogpunt, sodat 'n groep loseerders een of ander verstandhouding ondermekaar het, om te kan saamstaan, soortgelyk aan dié van 'n huisgesin. Ons vra nie kommunes nie, maar dit is 'n stelsel wat automaties ontwikkel.

In ons geval word voldoen aan die maksimum toelaatbare getal loseerders insluitend die voorsiening vir parkering op perseel.

Volgens vereistes word die eienaar verteenwoordig deur 'n direkte bloedverwant, ook daar woonagtig. Die totale aantal huisbewoners sal 5 i.p.v. 3 wees. Ander huise in die buurt het tipies 2 tot 5 huisbewoners in die vorm van gesinne, insluitend loseerders.

Omdat Stellenbosch 'n universiteitsdorp is, het die waarde van eiendomme verhoog. Sonder die universiteit sou die waarde baie minder wees.

Dit is dat baie duidelik dat een of twee eienaars om een of ander rede samespanning bewerkstellig, nadat bure in die buurt opsweep is met die wanvoorstellings.

Dit is verregaande dat sekere mense deur samespanning, uit eiegeregtigheid en kwaadwilligheid, ander inwoners regte probeer ondermyn.

Ek versoek u graag om hierdie saak ewewigtig te hanteer. Ons toekomsbeplanning van die afgelope 23 jaar is in die gedrang. Uitsluitel sloer al langer as 'n jaar en ondermyn ons pogings onregverdiglik om ons toekomsplanne in werking te stel.

Mnr Badenhorst se brief:

Item 1:

The zoning scheme makes provision for boarders. There is no mention of "students". In fact Stellenbosch is well known as a student village with student boarders since a century ago.

Item 2:

"Students" are being accommodated throughout Stellenbosch. Why should an exception should be made of Paradyskloof. Central Stellenbosch is already subjected to abnormal traffic congestion. It is only natural that the outskirts of the town accommodate the overflow.

Item 3:

Ample alternative accommodation may be available in "identified areas", but the present zoning scheme makes provision for boarders, guest houses, etc., throughout Stellenbosch. Our present arrangement in Paradyskloof is based on the provisions in the zoning scheme.

Item 4:

The zoning scheme requires that at least a direct blood relation of the owner shall represent the owner on the premises. That is being done. There is no requirement against students. In fact our blood relation is not a student as alleged, but a senior working person of 41 years old. The owner has an arrangement to duly visit the premises once or more per month for maintenance and general administration.

Item 5:

The fear that a dwelling with some students will "affect the value of adjacent properties" is unfounded. In fact it may enhance the value of properties, as the value of properties are already enhanced, due to Stellenbosch being a student village. Take the university away and the value of Stellenbosch properties will drop.

Our overall planning in 7 Florida Street was that eventually, due to retirement, our house may be occupied with boarders, albeit students, for a while, with the option that it may eventually be occupied by ourselves once again, as elderly people, with the possible inclusion of nursing staff, etc. This has nothing to do with "greed" as alleged by Mr. Ubbink. In all likelihood the property will eventually be sold to a younger generation, and so the life cycle will repeat itself. So also in all other dwellings of the neighbourhood and elsewhere.

We believe that we are entitled to manage our home in the way set out above. The only way when it could be prohibited is when it proves to be a general nuisance.

We also believe that complaints by the neighbours is prejudiced due to malice and pettiness of one or two self-righteous individuals who influenced, instigated and compromised others in the neighbourhood.

Kind regards,

M E Pienaar Schalk Pienaar

Mimmie en Schalk Pienaar.

Floridast. 7, Paradyskloof, Stellenbosch.

Administrative Officer : Customer Interface & Administration
Planning & Economic Development.

Munisipaliteit Stellenbosch.

27 Jan. 2017.

Salome Newman,

Erf 7978, Stellenbosch, Aansoeknr: LU/4439:

Ons het gister eers u geregistreerde pos ontvang met die lys handtekeninge.

Die soneringsregulasies bevat die opsies vir spesiale gebruik, insluitend addisionele persone, ens. Die voorwaarde is dat die raad toestemming moet verleen.

Na ons mening kan toestemming nie sonder rede geweier word nie.

Kortliks, inaggenome ons vorige verweer:

Die beswaarmakers weet van die klosules in soneringsregulasies en het deurentyd kennis gedra van die toegewings wat daarin is. Uit regverdigheid behoort slegs besware gegrond op bewese feite geopper te word, nie emosionele vooroordele nie.

Ubbink vereis van die munisipaliteit om teen ons op te tree. Ons neem eksepsie teen sy beledigende aantygings.

Dit (sy brief van 7 Okt. 2016) is gebaseer op vals aannames.

Sy brief is vol bevooroordeelde uitdrukkings en wanopvattinge soos elders aangehaal. Dit dui deurgaans op emosioneel belaaide, aggressiewe veronderstellings.

Ons was deurentyd, sedert November 2015 in voeling met die munisipaliteit en die soneringsregulasies.

Ubbink het nou handtekeninge vir 'n petisie versamel. Dit is 'n ontnugtering en terleurstelling. Ons is nie misdadigers soos Clayton Jacobs teenoor Ubbink beweer en sodoende sy saak teen ons versterk nie. Hierdie samespanning met die munisipale amptenare, op voornaamsterme, ens. is, na ons mening, ongeoorloof.

Om ons in swak moontlikse lig te stel beweer Ubbink dat ons eiendom "onooglik" is.

Ons indruk egter is dat sy eiendom onooglik gemaak is met twee dubbel- en twee enkel motorhuisdeure en hoë mure oor die wydte van sy straatfront, asook met 'n nuttelose staalstruktuur teen die straatgrens.

Op die hoë mure is onooglike elektriese bedrading. Dit lyk soos 'n barrikade in 'n fabriek se agterplaas. Ons doen en late behoort hom dus nie te pla nie.

Foto P8030055-a.

Foto's P1130310-a en P1130311-a: Let wel die sagte hantering van die straatfront aan ons kant. Die landelike styl van ons huis, die spesiaal ontwerpte groen staal- en draadhekke, bykans onsigbare groen draadheing, houtlatte en struikdra, in teenstelling met en die voorstedelike en uitheemse style van bure oorkant, by tot die verlangde "rustige" landelikheid van die buurt.

Ons slaapkamers front op 'n groot tuin agter. Die badkamers, trapportaal en kombuis front op die straat. Verkeersgeraas pla ons nie.

Die natuurlike grondoppervlak van ons inry is in tred met die tradisionele grond-

sypaadjies in die middedorp, byvoorbeeld in die omgewing van die munisipale geboue.

Let wel ons ruim toelating vir voetgangers op die sypaadjie.

Ubbink het die sypaadjie voor sy straatfront beplant om sy onooglike strukture te verskans.

Sodoende het hy die sypaadjie op 'n selfsugtige manier ontoeganklik gemaak vir voetgangers, veral vir gestremdes, stootwaentjies en senior burgers. 'n Motor moet 'n halwe meter of meer vanaf die randsteen parkeer sodat passasiers kan uitklim. Dit dra by tot die impak op verkeersvloei.

Foto P1260321-b. (Let ook op die messelwerk, klipterasse en plante op die sypaadjie voor erf 7951.)

Die vergunning van spesiale gebruik van sypaadjies word misbruik, elders in Paradyskloof ook.

Ubbink beweer dat inwonende studente sy woonstel, wat op die straat uitkyk, pla.

In werklikheid is die gebou swak ontwerp in die sin dat die woonkamer op, veral 'n besige straat soos Floridastraat, front.

Foto P8030055-a.

Hy beweer dat inwonende studente die waarde van sy eiendom sal verlaag.

In werklikheid het hy en ander beswaarmakers oorgekapitaliseer met hul aanbouings en hul uitgawes sal nie gou verhaal kan word nie.

Ook Stevens het die res van die buurt teen inwonende studente by ons opgesweep.

Na ons mening is dit uiters ongevraagd en ongeregverdig dat sy daaglikse uitstappies met elkeen van die bure te onderneem en blykbaar ook amptenare by die munisipaliteit persoonlik nader, ten einde hulle met hulle saam te span om ons aansoek af te keur. Selfs die wyk se raadslid FJ Badenhorst is, na ons mening, in so 'n mate ongeoorloofd beïnvloed dat hy hul opinies eensydiglik beaam het.

Orals in Stellenbosch is en was huiseienaars, wat tradisioneel studente-verblyf verskaf.

Sedert die stigting van die universiteit is loseerders by huise ingeneem. Enige iemand wie in Stellenbosch kom woon weet dit is 'n universiteitsdorp met minstens vyf groot skole, binne 'n kilometer of wat van mekaar.

Dit alleen verhoog die waarde van eiendomme, ten spyte van studente loseerders, gepaardgaande verkeer, ens.

Elkeen, wie op 'n werksdag deur Stellenbosch se middedorp ry, ervaar hopelose kongestie, opeenhoping van verkeer en tekort aan parkeerplek.

Stellenbosch middedorp bars uit sy nate en dit is bloot natuurlik dat die dorp na die buitewyke uitbrei. Volgens raadslid Badenhorst se brief, word daar boonop nou addisionele verblyf vir studente in die middedorp verskaf. Dit sal die probleem net vererger.

Paradyskloof is eerder 'n dinamiese as "rustige" woonbuurt. Die strate dra deurlopende motorverkeer tussen Blaauwklippen- en Paradyskloofweg. Die Boord, Dalsig en Brandwacht is soortgelyk.

Net buurte verder op soos La Pastorale en Eden, asook sekuriteitskomplekse soos De Zalze, kan as "rustige" woonbuurte beskou word aangesien hulle geen deurry verkeer dra nie.

Die eiendomme van Van Helsdingen (erf 7973) en Stevens (erf 7975) front nie teen ons agterste grens en ons doen en late behoort hulle assulks nie te hinder nie.

Erf 7974 agter ons is voorheen deur Stevens uitverhuur. Ons het nooit klagtes van hulle ontvang nie.

Ons verwys weer na ons in-diepte, formele reaksie teen besware gedateer 21/22 Julie 2016, aan die munisipaliteit gestuur op 12 Aug. 2016, waarin ons die besware van die omringende eienaars individueel en in detail aanspreek.

Ons het groot uitgawes aangegaan en jare lank ons toekoms vooruit beplan ten einde hierdie projek te bewerkstellig. Die beswaarmakery en sloerdery kos ons reeds duisende rande.

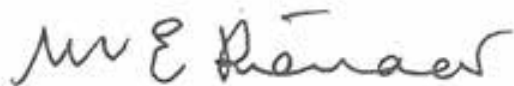
Die agentskap(pe) waardeur ons werk is baie professioneel en enige huurders word diskreet uitgesoek en aan streng voorwaardes en ooreenkomste onderwerp, in belang van onself en alle betrokkenes.

Indien ons beplanning nie voortgaan nie, sal ons 'n substansiële finansiële verlies ly, en dit weens emosionele miskonsepsies van die bure.

Ons persepsie is dat, omdat die aansoek, na langer as 'n jaar, nie deur die Raad afgekeur is nie, ons 'n aanvaarbare saak het en dat die bure oormatig bekommerd is.

Ons vertrou dus met respek dat die Raad ons aansoek nie sal afkeur nie

By voorbaat dank.



Mimmie en Schalk Pienaar.

Floridastraat 7,

Paradyskloof.

Kopieë: Raadslede Badenhorst en Lombaard.

From: Schalk Pienaar <schalkspa@gmail.com>
 Sent: 20 January 2017 12:04 AM
 To: Salome Newman
 Subject: [EX] Re: Besware op Erf 7978, Stb

Administrative Officer : Customer Interface & Administration

Planning & Economic Development

Geagte Salome Newman,



Ons verwys graag na ons in diepte, formele verweer teen besware gedateer 21/22 Julie 2016, waarin alle besware in detail aangespreek word.

Die beswaar van mev. Stevens 12 Okt. 2016, en ander, is ongegrond en ongeldig, dat byvoorbeeld

- a) loseerders aanleiding sal gee tot meer sulke "ontwikkelings" (Daar sal altyd 'n konstante verhouding tussen studente en huiseienaars wees, tensy die aantal studente vermeerder, of eienaars verminder)
 - b) so 'n "ontwikkeling" "negatief sal impakteer op die verkeer". (Dit is dorpsuitbreidings wat negatief impakteer op verkeer.)
 - c) dit "negatief sal impakteer op lewenskwaliteit". (Hoekom nie positief impakteer op lewenskwaliteit nie?)
 - d) dit "negatief sal impakteer op eiendoms waarde." (Eiendoms waarde sal eerder verhoog.)
- c) Dit is absurd dat die munisipaliteit gevra word om "ons basiese belange waarvoor almal 'n hoë prys betaal, te beskerm". (Die munisipaliteit verhoog intendeel gereeld munispale belasting en kostes om sodoende by te dra tot die "hoë prys".)

Die basiese feit is dat die buurt dinamies en veranderlik is soos families intrek, groei en wegtrek. Daar is verskeie gastehuse, eienaars wat loseerders inneem en privaatpraktyke uit hul huise onderneem, aktiwiteite in die strate onderneem, ensomeer. Die soneringsregulasies maak voorsiening daarvoor. Die enigste beswaar teen sulke gevalle mag wees as steurnis pertinent veroorsaak word. Ons het 'n streng reëling en ooreenkoms met huurders dat, byvoorbeeld, gedurende 'n werkswaek en Sondagaande, daar geen jolyt sal wees nie. Enige luidrugtigheid sal binne die normale aanvaarbare norme wees.

"Kommune" het 'n vloekwoord geword. Dit is egter noodsaaklik, uit ordelikeheid en sekuriteitsoogpunt, dat 'n groep van vier loseerders een of ander verstandhouding ondermekaar het, om te kan saamstaan, soos 'n familie.

In ons geval word voldoen aan die maksimum toelaatbare getal loseerders en voorsiening vir parkering op perseel. Volgens vereistes word die eenaar verteenwoordig deur 'n direkte bloedverwant, ook daar woonagtig. Die totale aantal huisbewoners sal 5 i.p.v. 3 wees. Ander huise in die buurt het tipies 2 tot 5 huisbewoners.

Intendeel, die feit dat Stellenbosch 'n universiteitsdorp is, het die waarde van eiendomme verhoog. Sonder die universiteit sou die waarde baie minder wees.

Dit is dat baie duidelik dat een of twee eienaars samespanning bewerkstellig en sodat die die buurt histories opswaep word met die wanvoorstellings.

Hallo Salome Newman,

Ons e-pos van 25 Jan. 2017 verwys.

Onderstaande is die verweer, gedateer 21 Julie 2016, "Mun Stbosch ERF 7978 aansoek", wat ons op 12 Aug. 2016 aan DIE DIREKTEUR: BEPLANNING EN EKONOMIESE ONTWIKKELING gestuur het.

Dit blyk dat dit nie inaggeneem word nie, want daar word nie in julle korespondensie erkenning daaraan gegee of verwys nie. Erken asb. ontvangs daarvan.

1. Ons het selfs direk met die bure gekorrespondeer, sonder enige erkenning of terugvoer. Sien "Re: Application on Erf 7978, Stellenbosch.eml" hierbie ingesluit.
2. Ons het slegs verdere korespondensie van Stevens gesien wat bevooroordeelde aannames en retoriek bevat soos "Geskiedenis toon duidelik", "aanleiding gee", "negatief sal impaktee op verkeer, lewenskwaliteit en eiendoms waarde", "staatgemaak kan word", "basiese bestaande belange", "almal in die buurt 'n hoë prys betaal" en "Ons versoek dus dat hierdie aansoek afgekeur sal word", en ook van Ubbink 'n reeks soos "surprize", "delaying technique", "illegally", "late response", "contravention", "filed incorrectly", "protect us", "violations", "departures", "cost to neighbours", "errors", "dealt with", "objection", "do not want", "sore eye", "negative influence", "deviate", "do not respect law and rights", "lose our grip", "residential feeling", "look of our neighbourhood", "paid a premium" en "right to protect".

As gevolg van die petisie met die beswaarmakers se handtekeninge, wat Ubbink bymekaar gemaak het (dit was nie in u e-pos aan ons van 19 Jan. 2017 nie) voel ons verplig om 'n verdere verweer hierby in te sluit. ("**Verweer 2 op Erf 7978 Stb**")

Ons vra verskoning vir al die herhaling, maar dit is uiters noodsaaklik dat óns kant van die saak so omvattend as moontlik oorgedra word.

Die uwe,

Schalk en Mimmie Pienaar.

----- Forwarded Message -----

Subject:Fwd: Floridast 7- Fwd: Re: Application on Erf 7978, Stellenbosch

Date:Mon, 15 Aug 2016 10:54:54 +0200

From:Schalk Pienaar sr <schalkspa@gmail.com>

To:robert.foov@stellenbosch.gov.za

CC:Clayton.Jacobs@stellenbosch.gov.za, elsje@hdk.co.za <elsje@hdk.co.za>

Munisipaliteit Stellenbosch.

Beplannings- en ontwikkelingsdienste.

Vir aandag: DIE DIREKTEUR: BEPLANNING EN EKONOMIESE ONTWIKKELING.

12-08-2016.

Geagte meneer,

Aansoeknommer: LU/4439

Aansoek om "tydelike afwyking op erf 7978, Stellenbosch:

Ingesluit is

1. vorige e-pos: Application on erf 7978, Stellenbosch,
2. Mun Stbosch ERF 7978 aansoek en
3. drie foto's ter illustrasie.

Ons vertrou dit is voldoende vir ons motivering.

Die uwe,

Schalk en Mimmie Pienaar.

Sea View-rylaan 79, Franskraal, Overstrand
Floridastraat 7, Paradysdoof, Stellenbosch.

schalkspa@gmail.com

tel: 028-3880120 / 021-8801411, sel: 083-4804948

Vorige korrwespondensie: (previous correspondence)

Die Sonering-afdeling.

Munisipaliteit Stellenbosch.

21 Julie 2016.

Vir aandag: Die stadsklerk, mnre Fooy en Jacobs.

Geagte menere,

Re: Aansoek op Erf 7978, Stellenbosch:

Ons het geen kennis gedra van die geregistreerde brief gedateer 29 Feb. 2016, maar gestempel 4 Mei 2016, nie.

Op 8 Maart 2016 het ons 'n antwoord gekry van sonita.matthee@stellenbosch.gov.za:

Your Reference Number: 414260 Ek erken ontvangs van u skrywe gedateer 2016-02-18. Daar word kennis geneem van die inhoud van u skrywe. Die saak geniet aandag en 'n verdere skrywe, indien nodig, sal ter geleger tyd aan u gerig word. U verwysingsnommer is : 414260 STELLENBOSCH MUNISIPALITEIT Ons het geen verdere skrywe ontvang en het dus aanvaar dat dit nie nodig was.

Ons kan ook nie regtig kommentaar op die geregistreerde brief gedateer 29 Feb. 2016 lewer nie, omdat ons nie presies weet wat die besware is nie en hoekom nie.

Paragraaf 5.2 (b) van die soneringskema regulasies, tersaaklike komentaar, verwys.

Omdat daar in die sonering regulasies wel toelating vir 4 loseerders is, behoort enige besware in alle billikheid sekerlik tersaaklik te wees.

Wat ons betref kan daar geen tersaaklike besware wees nie omdat daar aan die vereistes vir loseerders voldoen is en omdat hul gedrag uitnemend is.

ons in daaglikse beheer oor hulle is, of persoonlik, en/of via ons direkte bloedverwant (10.2.2 f(ii), wie daar inwonend is en/of via ons agentskap wie die ooreenkoms met hulle vir ons opgestel het.

Vir ordelikheid, sekuriteit en veiligheid is daar streng reëlins vir toegangsbeheer in die huis en op die perseël.

Ingesluit is korrespondensie van 18 Feb. 2018, wat aan al die betrokkenes gerig gecos en/of per e-pos gestuur was, omdat ons bewus was van die sorge van 3 van die omringende inwoners.

Geen geen skriftelike afkeuring was egter tot nou toe daarop verkry nie.



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APPENDIX 7

(APPLICATION FOR A SPECIAL DEVELOPMENT: ERF 7978, PARADYSKLOOF 7
FLORIDA STREET, PARADYSKLOOF, STELLENBOSCH)

COMMENTS FROM INTERNAL DEPARTMENTS

INTERDEPARTMENTAL CIRCULATION FORM

LêER VERW/ FILE REF	Erf 7978, Stellenbosch	DATE: 31 July 2017
AANSOEKNUMMER/APPLICATION NUMBER	LU/4439	
MEMO AAN/ TO :		
X	Director : Traffic Engineer / Engineering Services	
	Manager : Electrical Department	
	Manager : Building Development Management	# LU 1485
	Manager : Fire Services	
	Manager: Spatial Planning / Heritage / Environment / Signage	Aug 2/8/2017.
	Manager: Health Department (Winelands Health)	
	Manager: Community Development	
	Manager: Property Management (P Smit)	
	Manager: Local Economic Development (LED)	
	Chief Financial Officer	
Application	Application for special development to enable the owner to accommodate four (4) additional persons on Erf 7978, Stellenbosch.	
Adres / Address	7 Florida Street, Paradyskloof, Stellenbosch	
Aansoek Datum Application te	25 November 2015	
Aansoeker Applicant	ME Pienaar	
<p>Aangeheg vind u tersaaklike dokumentasie in verband met bogenoemde aansoek. Ten einde my in staat te stel om die aansoek aan die besluitnemingsowerheid vir oorweging voor te lê, word u versoek om my skriftelik van u kommentaar, indien enige, te voorsien. Onderskei asseblief tussen algemene kommentaar op die meriete van die aansoek en enige voorwaardes wat u departement wil oplê indien die aansoek goedgekeur word.</p> <p>Attached please find the relevant documentation regarding the abovementioned application. Kindly furnish me with your written comment, if any, in order to enable me to submit the application to the decision making authority for consideration. Please differentiate between general comment on the merits of the application and any conditions that your department wishes to impose should the application be approved.</p> <p>Geliewe die memorandum <u>per hand</u> aan my terug te besorg voor of op: Please <u>hand deliver</u> the memorandum to me on or before : 30 August 2017</p> <p>B Mdoda or DIRECTOR: PLANNING AND ECONOMIC DEVELOPMENT</p> <p>ALGEMENE KOMMENTAAR / GENERAL COMMENT:</p> <p>Traffic Engineering: Re comment for Approval: <i>[Signature]</i> 2017/08/23</p> <p>VOORWAARDES/CONDITIONS:</p> <p>.....</p> <p>.....</p> <p>.....</p>		
HANDTEKENING / SIGNATURE	DATUM / DATE	

FILE NR:	
SCAN NR:	E 79785
COLLABORATOR NR:	537494

VERWYSING/REF: Erf 7978, Stellenbosch DATUM/DATE : 23 December 2015

MEMO AAN :

- Director : Verkeers Ing / Traffic Engineer
- Director : Ing en Tegn Dienste / Engineering Dep
- Director : Elek Ing dienste/ Electrical Dept
- Manager : Building Control
- > Director : Brandweerdienste / Fire Dept
- Director: Corporate Services
- Manager: Spatial Planning / Heritage / Environment / Signage
- Director : Gesondheidsdienste / Health Dept (Winelands Health)
- Director : Parks



Application	Temporary Departure
Adres / Address	07 Florida Street, Paradyskloof, Stellenbosch
Aansoek Datum / Application Date	25 November 2015
Aansoeker / Applicant	M E Pienaar

Aangeheg vind u tersaaklike dokumentasie in verband met bogenoemde aansoek. Ten einde my in staat te stel om die aansoek aan die Beplanning- en Ontwikkelingskomitee vir oorweging voor te lê, word u versoek om my skriftelik van u kommentaar, indien enige, te voorsien.

Onderskei asseblief tussen algemene kommentaar op die meriete van die aansoek en enige voorwaardes wat u departement wil op lê indien die aansoek goedgekeur word.

Attached please find the relevant documentation regarding the abovementioned application. In order to enable us to submit the application to the Planning and Development committee for consideration, we request that you supply us with your written comment, if any.

Please intercept between general comment on the merits of the application and any conditions that your department would like to lay on if the application has been approved.

Geliewe die memorandum per hand aan my terug te besorg voor of op:
 Please forward the memorandum by hand to me on or before: **23 January 2016**.....
(Datum/Date)

S Newman

For DIRECTOR: PLANNING AND ECONOMIC DEVELOPMENT

ALGEMENE KOMMENTAAR:
GENERAL COMMENT:.....
In order

VOORWAARDES/CONDITIONS.....

HANDTEKENING / SIGNATURE	DATUM / DATE
	21/01/2016

E 7978 S
406838

(12)
f

VERWYSING/REF: Erf 7978, Stellenbosch	DATUM/DATE : 23 December 2015
MEMO AAN :	
Director : Verkeers Ing / Traffic Engineer	
> Director : Ing en Tegn Dienste / Engineering Dep	
Director : Elek Ing dienste/ Electrical Dept	1135 LUPB
Manager : Building Control	
Director : Brandweerdienste / Fire Dept	07/1/2016
Director: Corporate Services	
Manager: Spatial Planning / Heritage / Environment / Signage	
Director : Gesondheidsdienste / Health Dept (Winelands Health)	
Director : Parks	

Application	Temporary Departure
Adres / Address	07 Florida Street, Paradyskloof, Stellenbosch
Aansoek Datum / Application Date	25 November 2015
Aansoeker / Applicant	M E Pienaar



Aangeheg vind u tersaaklike dokumentasie in verband met bogenoemde aansoek. Ter einde my in staat te stel om die aansoek aan die Beplanning- en Ontwikkelingskomitee vir oorweging voor te lê, word u versoek om my skriftelik van u kommentaar, indien enige, te voorsien.

Onderskei asseblief tussen algemene kommentaar op die meriete van die aansoek en enige voorwaardes wat u departement wil oplê indien die aansoek goedgekeur word.

Attached please find the relevant documentation regarding the abovementioned application. In order to enable us to submit the application to the Planning and Development committee for consideration, we request that you supply us with your written comment, if any.

Please intercept between general comment on the merits of the application and any conditions that your department would like to lay on if the application has been approved.

Geliewe die memorandum per hand aan my terug te besorg voor of op:
Please forward the memorandum by hand to me on or before: **23 January 2016**.....
(Datum/Date)

S Newman

For DIRECTOR: PLANNING AND ECONOMIC DEVELOPMENT

ALGEMENE KOMMENTAAR:

GENERAL COMMENT: *Recommended for approval*

.....

.....

.....

.....

VOORWAARDES/CONDITIONS	
<i>[Signature]</i>	<i>21 Jan 2016</i>
HANDTEKENING / SIGNATURE	DATUM / DATE

E79785
404979



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APPENDIX 8

(APPLICATION FOR A SPECIAL DEVELOPMENT: ERF 7978, PARADYSKLOOF 7
FLORIDA STREET, PARADYSKLOOF, STELLENBOSCH)

PHOTOS



The existing house



On-site parking as indicated on the SDP



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APPENDIX 9

(APPLICATION FOR A SPECIAL DEVELOPMENT: ERF 7978, PARADYSKLOOF 7
FLORIDA STREET, PARADYSKLOOF, STELLENBOSCH)

CONTRAVENTION NOTICE SERVED



Reference Number: 12/2/3/1/64

Date: 18 July 2016

Att: Maria Elizabeth Pienaar
ID Number: 4506110045087

Erf: 7978, 7 Florida Street Stellenbosch

This is a true copy of the notice served on this 18 day
of July 2016 at 11:30 (time)
On Schalk Pienaar
Place 7 Florida Str Stellenbosch
Served by: Clayton Jacobs (Full name)
Capacity of Server: Senior Land Use Inspector
Signature of Server: [Signature]
Person Receiving Document: _____ (Sign)
Capacity: Owners husband
ID Number: _____
In the event the recipient of the notice refuses to sign or accept notice the server must indicate how notice was issued.

REGISTERED MAIL/PERSONAL SERVICE

NOTICE OF NON-COMPLIANCE

Dear Sir/Madam

UNAUTHORISED: Accommodation **ERF 7978, 7 FLORIDA STREET STELLENBOSCH**

- This Municipality has reasonable grounds to suspect that you are guilty of the following offence(s) in terms of **Section 86 (1)** of the Stellenbosch Municipal Land Use Planning By-law 2015:
"A person is guilty of an offence and is liable on conviction to a fine or imprisonment not exceeding 20 years or to both and such imprisonment if he or she"
 - Utilises land in a manner other than prescribed by a zoning scheme without the approval of the Municipality; i.e.
Accommodation Purposes
- You are hereby instructed in terms of section 87 of the said legislation, to cease the unlawful utilisation of land without delay or within include period determined by the Municipality.
- You must:
 - cease or rectify the contravention, as the case may be, within 30 days of the date of this notice;
 - You may object to this notice by submitting written representations to the Municipality within 30 days of receipt of the notice in terms of section 87 (6) of the said legislation.
 - Kindly note that failure to comply with the above request may result in further action, legal or otherwise, being taken against you in terms of section 88(1)(g)(i)-(v) of the said legislation.

Yours faithfully

[Signature]
C. Jacobs

FOR DIRECTOR PLANNING & ECONOMIC DEVELOPMENT

Clayton Jacobs | Senior Land Use Inspector
 Tel: +27 21 808 8951 | Cell: +27 78 637 5032
 clayton.jacobs@stellenbosch.gov.za



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RE: Land Use Contraventions Referred for Legal Action

Erf no: 7978

Address: 7 Florida Street Stellenbosch

File Number: 12/2/3/1/64

Property Owner: Maria Elizabeth Pienaar

Complainant: Direct Neighbour, Onno Ubbink

Notice Date: 18 July 2016

Notice Expiry Date: 18 August 2016

Documents Attached:

- Statement
- Zoning Certificate
- Picture of property
- Notice Served
- Ownership Details
- Copy of complaint

Date Handed Over for Legal Action	28/09/2015
Person Receiving Document	Shane Kaylor
Contact Details	071 862 5095 / 071 882 8421
Person Receiving Document (Signature)	
Handed over by, official name/surname	Clayton Jacobs

5.2.2	APPLICATION FOR A SPECIAL DEVELOPMENT AND TEMPORARY DEPARTURE ON ERF 13836, STELLENBOSCH
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File Ref: Erf 13836, Stellenbosch
 Collaborator No: 563363
 IDP KPA Ref:
 Meeting Date: 6 February 2018

1. PURPOSE OF REPORT

The above application is submitted to the Planning and Economic Development Committee for consideration. **The application is recommended for partial approval.**

2. BACKGROUND

The Weltevreden homestead dates from 1812-1815, when it was allegedly built by and for Deborah Retief, sister of the "Voortrekker" leader Piet Retief. The title deeds of the property go back to 1692. The property is one of the very few national heritage sites remaining in private ownership used as a family residence in Stellenbosch. The subject property is a recognized heritage site and has been declared a national monument. The buildings on the property are comprised of the following:

- The historical Homestead for is currently used for guest house purposes (Six bedrooms);
- The Jonkershuis is currently used for restaurant purposes;
- The wine Cellar is currently used as a function venue;
- And the Waenhuis is used as administrative offices for the farm.

3. APPLICATION FOR CONSIDERATION

Application is made in terms of Section 42 of the Land Use Planning Ordinance, 1985 (No 15 of 1985) for the amendment of the approval conditions applicable to the temporary departure to extend the area of the existing restaurant to include the undercover outside seating area of $\pm 100\text{m}^2$, adjoining the existing building used for restaurant purposes and to include the children's play area of $\pm 100\text{m}^2$ (The carnival), as indicated on the attached plan;

Application is made in terms of Section 15(1)(a)(ii) of the Land Use Planning Ordinance, 1985 (No 15 of 1985), for a departure on erf 13836, Stellenbosch, to relax the 30m lateral building lines to 10m (Side building lines) to construct a 500m^2 store, as indicated on the attached plan;

Application is made in terms of Section 15(1)(a)(ii) of the Land Use Planning Ordinance, 1985 (No 15 of 1985), for a departure on erf 13836, Stellenbosch, to relax the side building lines from 30m to 10m to enable the owner to formalize the existing tented structure and to use it for storage purposes (Cars) with an undercover area of 400m^2 as indicated on the attached plan.

4. Property Information

Farm numbers	13836 Stellenbosch
Location	The property is located on the northern side of the Welgevonden Estate and access to the property is via the Welgevonden Estate Development.
Zoning/Zoning Scheme	Agricultural Zone / Stellenbosch Zoning Scheme Regulations
Current Land Use	Guest house , Tourist facility comprising a restaurant which is located in an existing dwelling with a function venue located in the existing wine cellar and Agriculture purposes (Small area of vineyards)
Unauthorized land use/building work / date when notice served	Yes (Tented area within the maize and the use of the grassed area next to the restaurant for outside seating purposes for the restaurant and the children's play area with seating (Carnival) not originally included in the approval granted.
Property size	37.43ha
Applicant	P G Carstens
NHRA Applicable	Yes
Title deed conditions	No restrictive conditions are applicable to the current application.

5. DISCUSSION**5.1 Legal requirements and Public Participation**

The application was submitted in terms of Section 15 of the Land Use Planning Ordinance, 1985 (No 15 of 1985), and Sections 10.1.2 of the Stellenbosch Zoning Scheme. The application was advertised according to Council's policy on Public Participation for Land Use Development applications. All internal and external Departments that were consulted have no objection to the proposal.

5.2 Overall summary of public participation

ISSUES RAISED	APPLICANT'S RESPONSE	DEPARTMENTAL RESPONSE
<p>DHM (Du Plessis-Hofmeyr-Malan Attorneys.) for the Welgevonden Home owners Association.</p> <p>Amendment of approval conditions to increase the seating area of the restaurant with a children's play area.</p> <p>The application under consideration is for a temporary departure application and the building work indicated is such that it is not of a temporary nature and the</p>	<p>Discussions with the representative of the HOA (Johan du Plessis) indicated that the information forwarded to him were open for interpretation. He also never visited the site. The extension of the restaurant is not a physical extension as interpreted by mr du Plessis but extension of use by using the outdoor seating area. (Similar to what happens in town and at restaurants on other farms).</p>	<p>The temporary departure under consideration is to extend the area used for restaurant purposes by allowing additional outside seating to be provided next to the existing historical dwelling which currently has approval to be used for restaurant purposes. The applicant is also applying to include the children's play area that is used in association with the restaurant.</p> <p>According to the objectors they are affected by the play area due to the noise that</p>

<p>property should be rezoned to facilitate the proposed use as the proposed structures are of a permanent nature.</p> <p>The noise generated by the restaurant facility is not compatible with that of the residential use of the property. The enlargement of the current restaurant facility will result in an increase in noise and the proposal should be refused due to the fact that it is undesirable.</p> <p>Building line relaxation applications. (30m to 10m for the store and tented area.)</p> <p>The building lines applicable to the subject property should be maintained as there is no reason given for granting approval to this request. If approval is granted then imposing a building line would be of no benefit if they are relaxed at will.</p> <p>By approving the relaxation of the building lines then development right.</p>	<p>Position of proposed new store as indicated in the application. Weltevreden is a declared Heritage site. Heritage Western Cape was adamant in their decision that changes close to and to the Werf area will not be allowed. The proposed position of the store (where an old building existed) were approved in a previous application. On request of the nearby Welgevonden owners the owners are prepared to do landscaping on the verges. A proposed landscape plan is attached. The relaxation of the building line for the new store will not impact negatively on the adjacent development as this specific site is an existing platform +/- 3m below the Welgevonden natural ground level. A wide private open space also exists between Welgevonden and Weltevreden. Similarly the side building line relaxation For the temporary structure will not have a negative impact on Welgevonden due to the location of the structure screened by trees and a distance away from Welgevonden.</p>	<p>emanates from this area. The objectors maintain that due to the paved and hard top areas that form part of the children's play area the noise made by the playing children is heard from their homes even though the objectors dwelling houses are located quite a distance away from this area.</p> <p>A site inspection revealed that the play area is screened for most parts from Welgevonden by an earth bank and large shrubs/ trees that have been planted on it. Thus the play area is screened off from Welgevonden most parts. To resolve or reduce the noise impact the hard top areas could be replaced with alternative materials that would absorb noise.</p> <p>The complainants also indicated that they are affected by the restaurant with the outside seating area as the sound emanating from the restaurant can be heard by them and thus the restaurant has a negative impact on them.</p> <p>A site inspection revealed that the objector's properties are located more than 50m away from the restaurant with a large green belt used by the residents of Welgevonden for outdoor recreational purposes.</p> <p>A portion of this area has also been developed as a children's play area for the Welgevonden residents.</p> <p>The location of the proposed store has been determined by the fact that the area where it is to be located accessible for vehicles as the area is used for the storage of garden refuse and related uses.</p>
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		<p>The proposed store will be located between the exist earth bank and the children's play area and thus will aid in further defusing any noise generated by the play area and restaurant.</p> <p>Due to the fact that the store is to be located next to the earth bank, the visual impact of the building on its surroundings should be reduced. As mentioned above the earth bank is planted with large shrubs / trees and thus any noise or visual impact of the structure should be further reduced.</p> <p>The store is to be used for storage and maintenance purposes related to the day to day running of the farm and thus the activities taking place in this area would be minimal due to the limited farming activity taking place on the property.</p> <p>The area identified for the store is such that it should have as little impact on the existing heritage buildings found in the farm werf and thus the proposal is supported by the Heritage Department. Vehicular access to the store is via the existing road network on the subject property.</p> <p>It should be noted that a farm store is a primary land use if used in conjunction with the other farm building located on the property.</p>
<p>D M Punt, Erf 15293 (A Welgevonden resident.)</p> <p>The noise generated by the use of the tented area for a wedding venue and as a function venue is unacceptable.</p>	<p>Following a meeting with residents from Welgevonden The owners of Weltevreden discontinued the use of the tented structure as wedding vevue. The old Wine cellar is now used as wedding venue.</p>	<p>The applicant is also applying to legalise the "tented area" shade cover structure which has been erected behind the "werf" building on the property.</p>

<p>Notwithstanding the noise generated from this area the owner on occasion also starts his cars in his collection after hours which also generate a lot of noise.</p> <p>We do not object to the noise generated by the children in the children's play area but request that this area is not to be used after hours.</p>	<p>Weltevreden is Zoned agricultural zone 1 and agricultural activities are allowed. The use of tractors, equipment and other vehicles is thus normal practice.</p> <p>The play area is only open during daylight time.</p>	<p>The structure is located within the landscaped garden area and has been used to host open air events such as weddings functions, classical music evenings and also for cultural evenings such as "Die Woord Fees" which is held by the Stellenbosch University.</p> <p>Due to the numerous complaints from the surrounding neighbours these activities have been stopped. The owner is now applying to convert the structure to a storage area for his large sports car collection (Classic racing Porches) which has been stored in the Cellar building till recently.</p> <p>As the wine cellar is now used for indoor functions for which approval has been obtained the vehicles are currently stored off site. This has resolved the noise issue mentioned by the objector that was generated by these vehicles when being moved.</p> <p>As noted by the applicant the children's play area is only open during daytime hours when the restaurant is in operation.</p>
<p>C & H Ham, Erf 15294. (Welgevonden resident.)</p> <p>We object to the extension of the restaurant as the approval granted is for a temporary use. By enlarging the restaurant area it will become a permanent land use and could lead to functions being held after hours.</p> <p>We do not support the relaxation of the building lines as this will impact on the agricultural character of the area. The total area to be built is 900m and will be visible from our house.</p>	<p>Again the objector is under the impression that the restaurant/building will be enlarged. The "extention" is for the use of an outside seating area. Normal practice at every restaurant.</p> <p>Weltevreden is only 3,7ha in size. Due to the fact that a large portion of the land is a declared heritage site, the proposed areas is the only areas available for construction. Even if the store</p>	<p>The objector is concerned that by allowing additional seating area to be approved for the restaurant the use would become permanent.</p> <p>It should be noted that this portion of agricultural land is too small to be a viable agricultural entity as it is only ±4.5ha in size and that it is a remainder portion of the original Welgevonden development.</p> <p>This is mainly due to the fact that the original homestead</p>

	<p>were built within the 30m building line the building would still be visible. A Store is a normal development right on agricultural zoned land.</p>	<p>werf is located on this portion of the property and are historical buildings. Due to the size of the property and the location of the historical buildings on it, the use of the property for farming activities is limited and not economically viable.</p> <p>As the property is also too large to be used solely for residential purposes the current uses that have been approved have the least impact on the historical buildings.</p> <p>These uses also allow the general public to enjoy the historical buildings which are located in the rural setting.</p> <p>The subject property is also located within the urban edge and could have been developed for residential purposes but due to the Historical grading of the buildings no development will be supported on this portion of land to ensure that these buildings retain their cultural value.</p> <p>Due to the above the property can only be used for limited uses and thus the uses approved are seen to be the most viable option without having a negative impact on the cultural value of these buildings but still ensuring that the property can be maintained to retain its historical and cultural value.</p>
<p>Z Jansen Erf 15434 (Welgevonden resident.)</p> <p>I object to all the proposals that are being applied for. As I purchase my house in an area that would be peaceful. My house is located on the boundary quite close to the children's play area. If I</p>	<p>The restaurant and children's play area are indeed located a few hundred meters from the objector's property. The operation of Tourism facilities on farm "agri tourism" is promoted by Council policies</p>	<p>The objector is located on the edge of the green belt between the two properties and is approximately 80m away from the children's play area as the crow flies.</p>

<p>had been aware of the fact that a business / restaurant would be located a few hundred meters away from me I would not have purchase the property.</p> <p>The children's play area generates the most noise over the weekend which has an impact on my right to live in a residential area with little noise.</p>	<p>and the primary industry for job creation.</p> <p>Happy children playing is part or at least should be part of normal social life. It is also a fact that the majority of users of the children's play area, are children from Welgevonden. It is a safe environment with supervision where parents can relax and children can play.</p>	<p>The outside seating and children's play area is partially screened from the objectors house by an earth bank which is ±2m high and is planted with dense shrubs and small trees.</p> <p>The restaurant which has approval is only in operation between 9am and 5pm during the day and any noise generated by these additional facilities should not be of such a nature that it has a negative impact on its surroundings due to the fact that it is during day time hours.</p> <p>A site inspection revealed that the outside areas being applied for are screed from the objector by the dense vegetation with earth bank and thus any additional noise generated by these facilities should be minimal.</p>
<p>R Hefer erf 15453 (A Welgevonden resident.)</p> <p>I object to all the proposals that are being applied for due to the fact that the noise emanating from this property has not been resolved over the last two years.</p> <p>The noise generated by these activities has had a negative impact on my once peaceful property and impact daily on the quality of life and peace of mind of me and my family</p>	<p>Noise is a management issue. The statement of the objector is simply not true. The owners firstly bought a decibel meter and all noise are monitored to stay within the legal requirements. The music that was played at the children's play area was stop and the owners also stopped the use of the tented structure as a wedding venue.</p> <p>Weltevreden is also subject to a lot of noise from the Welgevonden Estate but is acting on good neighbor relationship basis.</p>	<p>This objector like all the objectors is located on the edge of the green belt between the two properties and is approximately 80m away from the children's play area as the crow flies.</p> <p>On the green belt between the objector and the subject property, the Welgevonden Home Owners Association have developed a playground area for the children in Welgevonden to use.</p> <p>On inspection this area was being used by a number of children under adults supervision and thus any additional noise generated by the play area on Welteveden would have little impact on the objector.</p>

		<p>The use of the existing dwelling with outside seating and play area for restaurant purposes as proposed is well screened from the objectors due to the fact that a number of large trees and shrubs have been planted between the areas that are being applied for and the objector.</p> <p>A portion of the boundary also has a large earth bank that also helps to screen the children's play area from the objector view and should also help to reduce any impact on its surroundings.</p>
<p>K & F Janse van Rensburg Erf 15463 (Welgevonden residents)</p> <p>The application to amend the approval conditions for the restaurant by including the outside undercover seating area and children's play area should be refused due to the increased noise levels that are generated from these areas.</p> <p>The application to relax the 30m building line for the children's play area and proposed 500m² store should be refused due to the fact that the 30m building line forms part of the green belt between Welgevonden and the Weltevreden farm. The proposal is also not supported due to the increased noise levels generated by the children's play area.</p>	<p>The restaurant and undercover seating area do not create noises that are above acceptable and normal social interaction. No loud music is played.</p> <p>The application is not to relax the building line for the children's play area as this is an open area.</p> <p>The green belt between Weltevreden and Welgevonden is not affected by the relaxation of the building line. The cut platform (former Managers' House that burned down) is 3m below the level of the green belt that mr Janse van Rensburg refers to. The owners will also do some landscaping to enhance the green area.</p>	<p>This objector like all the objectors is located on the edge of the green belt between the two properties and is approximately 80-90m away from the children's play area as the crow flies.</p> <p>The children's play area is also screened from this objector's house by large trees and shrubs and thus the noise generated from this area should be minimal.</p> <p>It should be noted that should the play area on the applicant's property only have consisted of playground equipment and not have been as formal as what has been constructed then this application would not have been required.</p> <p>The proposed store has been located in this area due to the fact that this area is located away from the heritage buildings and thus should have a minimal visual impact on the heritage buildings.</p> <p>Should the store have been located within the 30m building line then no application would</p>

		<p>be required for this building as it is seen as a primary land use right on a property zoned for agricultural purposes.</p> <p>The location of the building will also further screen the play area and restaurant from the objectors located on Welgevonden, thus further reducing the noise impact that the restaurant with outside seating and children's play area has on these objectors.</p>
<p>M J & D L Knutsen (Welgevonden residents.)</p> <p>The application being applied for is not supported for the following reasons:</p> <p>The increased noise levels that are generated from these areas and the use of the tented area for functions till late at night.</p> <p>The historical nature of the farm is not being respected due to the fact that we have development guide lines based on respecting the historical building.</p> <p>Should additional uses be approved the integrity of the historical buildings will be impacted on which I feel is not right due to development parameters applicable to my property which are based on ensuring that the historical value of the buildings on Weltevreden are not affected.</p>	<p>The tented structure is not used as a wedding venue – this facility is now in the Old wine cellar.</p> <p>Weltevreden is in existence since 1672 and the buildings date back to 1804. It is a very precious Heritage site.</p> <p>Heritage Western Cape therefore laid down guidelines when the Welgevonden development (previously agricultural land) was approved.</p> <p>The uses of the buildings were approved by Heritage Western cape and all Stellenbosch registered heritage organizations</p>	<p>This objector like all the objectors is located on the edge of the green belt between the two properties and is approximately 80-90m away from the children's play area as the crow flies.</p> <p>The children's play area is also screened from this objector's house by large trees and shrubs and the noise generated from the tented area is due to the fact that the tented area may not be used for function purposes as no approval has been obtained for this use.</p> <p>As noted above the proposed store has been located in this area due to the fact that this area is located away from the heritage buildings and thus should have a minimal visual impact on the heritage buildings.</p> <p>The applicant is not applying to do additions to the existing heritage buildings as the outside seating area is set away from the heritage buildings close to the river like the children's play area.</p> <p>The location of the store is for similar reasons and should further screen the play area</p>

		and restaurant from the objectors located on Welgevonden, thus further reducing any noise impact on these properties.
	<p>Summary</p> <p>All objections referred to noise. As mentioned above the owners implemented measurements to manage perceived noise issues. The objections do not refer to the present approved land uses. 26 Notices were served on adjacent owners. Only 6 reacted. Welgevonden consists of approximately 1 000 households.</p> <p>The maintenance and upkeep of one of the most important Heritage sites in the Western Cape are not possible without ensuring economic viability. This principle was strongly supported by the late Dr Rupert.</p> <p>The present owners provide and manage activities that comply to Council's IDP and SDF principles (promotion of Tourism and job creation on a sustainable basis)</p>	

6. Site Description and Assessment

The surrounding land uses are mainly agricultural with the group housing development of Welgevonden which is located on the Eastern and Southern side of the subject property. The Stellenvista smallholdings are also located on the Northern side of the property. The subject property is well located with easily access to Stellenbosch and Cape Town and is also located close to well known wine estates.

Tourism is one of South Africa's largest industries and specifically in Stellenbosch. In Stellenbosch, "agri-tourism" if well managed should complement the existing surrounding agricultural area. In the Western Cape tourism is seen to be one of the main sustainable means of creating an income within the agricultural sector as it provides the means to diversify. This activity also creates a number of permanent work opportunities within the agricultural sector.

Although number of restaurants are located within the CBD area of Stellenbosch, this supply does not always meet the demand of visitors whom

also like to dine within the agricultural area. Current the Jonkershuis has approval to be used for restaurant purposes but due to the demand was required to provide additional outside seating with a children's play area. Visitors to this restaurant enjoy the ambience of the rural area of Stellenbosch within close proximity to town. The restaurant is located in and around a historic house on the Weltevreden farm.

7. Basis of refusal of applications and particulars applicable at granting thereof

In terms of Section 36 (1) & (2) of the Land Use Planning Ordinance 1985 (Ordinance 15 of 1985) Chapter V: General Provisions, land use applications shall be refused solely on the basis of a lack of desirability of the contemplated utilization of land concerned, or on the basis of its effect on existing rights concerned (except any alleged right to protection against trade competition). Subsection (2) states that where a land use application is not refused by virtue of the matters referred to in subsection (1), regard shall be had, in considering relevant particulars, to only the safety and welfare of the members of the community concerned, the preservation of the natural and developed environment concerned or the effect of the application on existing rights concerned.

8. Planning Comments

Most of the buildings located on the subject property are heritage buildings and thus any additions or alterations to these buildings must take the heritage value of these buildings into consideration. Due to this the current restaurant building can only accommodate a limited number of tables within the existing building. Thus the owner is applying to formalize the undercover outside seating area with children's play area to be able to provide for the demand that exists. The outside seating and children's play area are located away from the heritage buildings to not compete and have a minimal impact on these buildings.

The undercover seating area is located under a modern roof structure that does not compete with the historical buildings. These structures are located away from the heritage buildings and do not form part of the historical "werf" buildings. The noise generated from the additional outside seating is minimal as it is located well away from the farm boundary adjoining the small stream that runs through the property and the existing heritage buildings. The children's play area is used in conjunction with the restaurant and any noise generated from this area will only take place during the operational hours of the restaurant which are between **9am and 5pm daily**.

The application under consideration also includes the construction of a 500m² store within the 30m side building line applicable to the subject property on the common boundary with Welgevonden. Due to this an application to relax the 30m building line to 10m to accommodate the proposed store has been submitted. On the Welgevonden side of the common boundary one finds a green buffer / belt which is used by the residents of Welgevonden for recreational purposes.

The location of the store has been determined by the existing infrastructure (Internal roads) and the fact that it is located in an area not very visible from the

existing heritage buildings and the objectors. The position chosen is screened from its surroundings by a large number of trees and shrubs, with a landscaped earth bank of $\pm 2.5-3\text{m}$ in height which is located on the Welgevonden boundary side of the structure. The earth bank has also been planted with large shrubs and bushes.

The location of this building was identified specifically to reduce the proposed structures impact on its surroundings and the heritage buildings. The proposed store can be accessed via an internal road thus requiring no new road to be constructed to service this building. The building is also located between a number of the objectors and the children's play area and restaurant thus further reducing any noise impact that the restaurant with children's play area could have on the objectors.

The owner is also applying to formalize the tented area which has been used in the past as an outdoor function venue without approval. Due to the complaints received the tented area has not been in use for some time and now the owner is applying to convert the tented structure to a storage facility for his collection of sports cars. Due to the fact that the structure is closer than 30m from the property boundary with Welgevonden a departure application to relax the 30m building line to 10m to accommodate the structure has also been submitted.

During a site inspection it was noted that no formal access road to facilitate the conversion and use of this structure for a storage area has been constructed. Thus the proposal would require an access road to be constructed over the landscaped garden area. The route that the access road would have to follow would also have a negative impact on the existing garden area (Visual) and thus the proposal is seen to be unpractical. As the tented structure is also located in the maize it would also require a large portion of hedging and plants to be removed to facilitate the proposed use of this structure as a storage facility. For this reason the proposal is not supported as this structure could be relocated to an alternative area / position on the farm where access to the structure already exists. Due to the current location of this structure, it also has a negative visual impact on its surroundings and thus if relocated to an alternative position it would most probably could be accommodated on the farm with less or no impact on its surroundings.

Adequate onsite parking facilities have been provided to accommodate patrons making use of the additional outside seating area and existing approvals granted. The onsite parking facilities are access via the existing access road. The additional land use rights being applied for should not have a major impact on the surrounding areas due to the fact that they are screened from the adjoining / surrounding properties. Only a minimal increase in traffic volumes is expected as only the additional outside seating area for the restaurant could have an impact on the existing traffic volumes.

It is the opinion of the Planning and Economic Development Department that the use of the subject property for guest house, restaurant and function facilities with ancillary land uses is supported as the uses are not seen to be out of character on the subject property, as the subject property is located within the urban edge of Stellenbosch where urban development can take place.

9. LIST OF APPENDICES

- Appendix A: Locality Plan
- Appendix B: Site Development Plan
- Appendix C: Comments by relevant departments Comments
- Appendix D: Comment on objections by applicant
- Appendix E: Objections received

10. RECOMMENDATION

- (a) that **be approved** be granted in terms of Section 42 of the Land Use Planning Ordinance, 1985 (No 15 of 1985) for the amendment of the approval conditions applicable to the temporary departure to extend the area of the existing restaurant to include the undercover outside seating area of $\pm 100\text{m}^2$, adjoining the existing building already used for restaurant purposes and to include the children's play area of $\pm 100\text{m}^2$ (The carnival), as indicated on the attached plan, subject to the conditions of approval noted below;
- (b) that **be approved** be granted in terms in terms of Section 15(1)(b) of the Land Use Planning Ordinance, 1985 (No 15 of 1985), for a departure on erf 13836, Stellenbosch, to relax the 30m building line to 10m (Side building line) to construct a 500m^2 store, as indicated on the attached plan, **be approved**, subject to the conditions of approval noted below;
- (c) that the application **be refused** in terms of Section 15(1)(b) of the Land Use Planning Ordinance, 1985 (No 15 of 1985), for a departure on erf 13836, Stellenbosch, to relax the side building lines from 30m to 10m to enable the owner to formalize the existing tented structure and to use it for storage purposes (Cars) with an undercover area of 400m^2 as indicated on the attached plan.
 - 1. That this approval applies only to the applications in question and shall not be construed as authority to depart from any legal prescriptions or other requirements;
 - 2. That building plans endorsed by Heritage Western Cape for all the structures have to be submitted to this Municipality for consideration prior to any building work being undertaken;
 - 3. The building plans may not deviate substantially from the Site Development Plan, **SDP 13836/ Nov/2011-1 to 3**, attached as Appendix C;
 - 4. The temporary departure shall automatically lapse in the event of the temporary departure not being acted upon within 24 months from the date of this approval or in the event of the utilisation of the property for the indicated use being ceased for a period of 12 months or longer;

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5. The activity exercised in terms of this approval shall not be contradictory to any title conditions registered against the property;
 6. That all activities comply with the Noise Control Regulations (PN627 dated 20 November 1998) made in terms of Section 25 of the Environmental Conservation Act, 1989 (Act No 73 of 1989);
 7. The paved area in the children's play area excluding the area used for food & drinks preparation at the entrance be covered with imitation lawn or a similar product to absorb and reduce any noise generated by the children playing in this area;
 8. No amplified music may be played in the children's play area including making announcement over a public address system;
 9. The existing business licence for the subject property is to be updated to include the play area should it be required;
 10. The approval only comes into operation once the tented structure in the maize has been removed.

11. REASONS FOR RECOMMENDATION

1. The proposed extension of the seating area for the restaurant and the inclusion of the children's play area are considered to be desirable as these use are seen as an extension of the existing approved land uses.
2. The relaxation of the building line to facilitate the construction of a store is also supported as the location of the structure will aid in reducing any noise generated by the children in the children's play area and outside seating for the restaurant.
3. The store is also screened to a large extent by an earth bank and landscaping comprising large shrubs with a number of trees.
4. The relaxation of the 30m building line for the tented area is not supported as the proposed use of this area for storage purposes can only be facilitated by creating an additional internal road network on the property.
5. The tented area is also located within an area which is landscaped and the proposed use would require a large section of the landscaped area to be changed as a planted hedge would have to be removed, which would result in the structure being more visible to its surroundings.
6. The structure could be moved to an alternative position on the property where it could be converted to a storage facility that has direct access to the existing road infrastructure without having an impact on the existing landscaping.



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DEPARTMENT: PLANNING AND ECONOMIC DEVELOPMENT

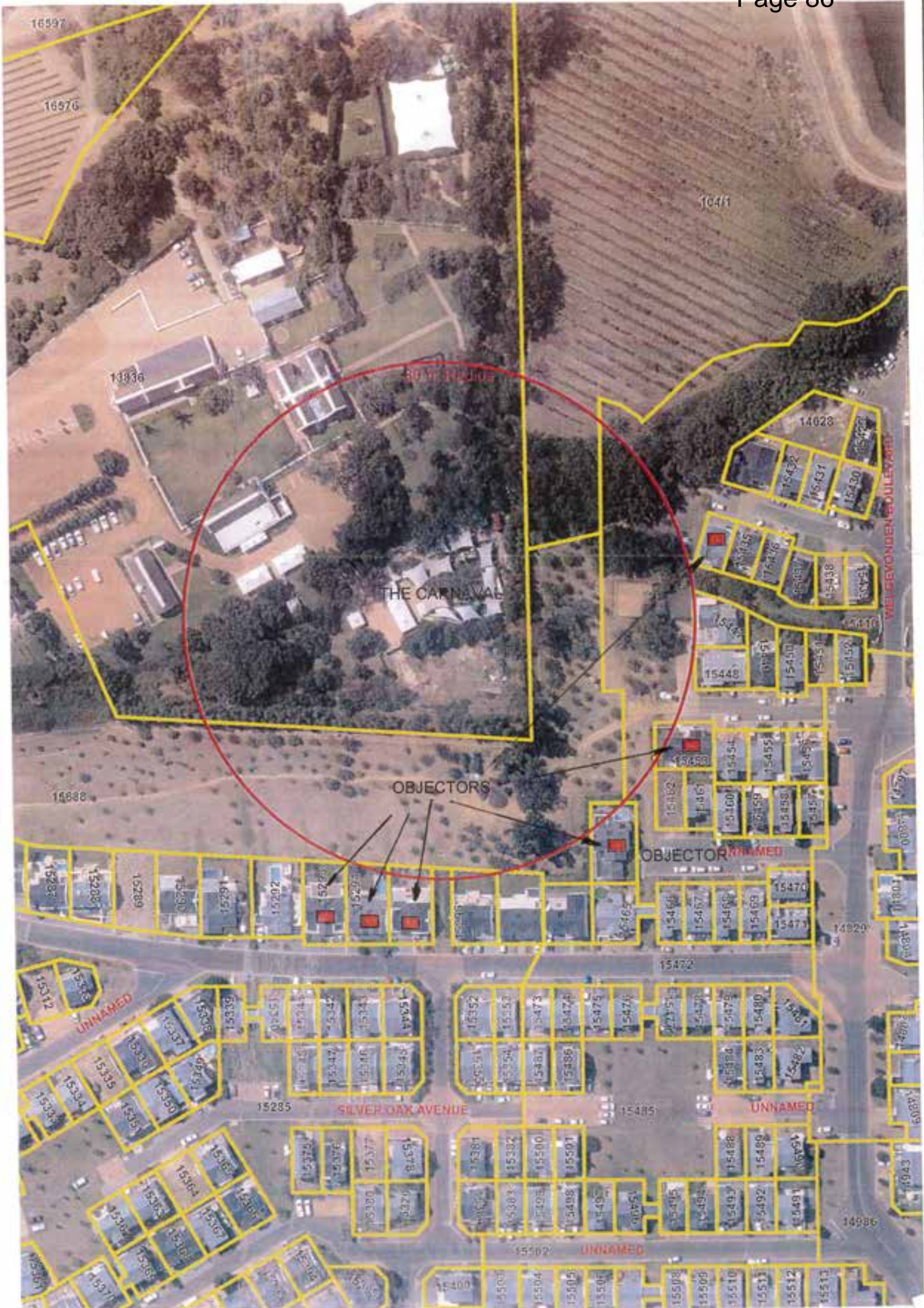
APPENDIX A



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LOCALITY PLAN





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APPENDIX B



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DEPARTMENT: PLANNING AND ECONOMIC DEVELOPMENT

APPENDIX C



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Spatial Planning, Heritage and Environment

To : Head: Customer Interface & Administration
From : Manager: Spatial Planning, Heritage & Environment
Date : 18 March 2016
Re : Application for departures and consent use on Erf 13836, Stellenbosch

I refer to your request for comment on the above application.

The property falls inside the urban edge and this department has no objection to the proposal.

Pp. Blanning

B de la Bat
MANAGER: SPATIAL PLANNING, HERITAGE AND ENVIRONMENT



E 13836S
417455

35



STELLENBOSSE LANDBOUGENOOTSKAP STELLENBOSCH AGRICULTURAL SOCIETY

DOORNBOSCHSENTRUM/CENTRE, P.O. BOX/POSBUS 204, STELLENBOSCH, 7599. FAX 021-883-8965, TELEFOON/TELEPHONE 021-886-4867

2016-04-06

Stellenbosch Municipality
P O Box 17
STELLENBOSCH
7599



Attention: H Deacon

**RE: APPLICATION FOR AMENTMENT OF CONDITIONS OF TEMPORARY DEPARTURE APPROVAL
AND DEPARTURES: ERF 13836, STELLENBOSCH**

The application in the abovementioned regard, dated 16 March 2016 has reference.

There is no objection to the application.

Yours faithfully

ANGELIKA VAN DER MERWE
GENERAL MANAGER
STELLENBOSCH AGRICULTURAL SOCIETY

FILE NO:	
DATE:	
COUNCIL/ROEWALITET:	E 13836 S
CONTRACT NO.:	423376





CAPE WINELANDS DISTRICT

MUNICIPALITY • MUNISIPALITEIT • UMASIPALA

NAVRAE/ENQUIRIES/IMIBUZO:
TELEFOON/TELEPHONE/UMNKEBA:
FAKS/FAX/FEKSI:
E-POS/E-MAIL/E-MAIL:
U VERWY/OUR REF/REF YAKHO:
ONS VERW/OUR REF/REF YETHU:

J.G. DE VRIES
021-8885814
021-8879365
johandy@capewinelands.gov.za
Plaas 13836, Stellenbosch

Alexanderstraat 46 Alexander Street
100
STELLENBOSCH
7599

Alle korrespondensie moet aan die Munisipale Bestuurder gerig word/
All correspondence to be addressed to the Municipal Manager/Yonke imbalelwano mayihunyelwe kuMlawuli kaMasipala

27-09-2012

Die Munisipale Bestuurder
Stellenbosch Munisipaliteit
Posbus 17
STELLENBOSCH
7599



AANSOEK OM TYDELIKE AFWYKING EN VERGUNNINGSGEBRUIK: PLAAS NOMMER 13836, STELLENBOSCH AFDELING

Daar is geen beswaar vanuit 'n gesondheidsoogpunt ten opsigte van die aansoek nie, onderworpe aan die volgende voorwaardes :

1. Alle riool –en afloop/ waswater moet so beskik word dat dit nie 'n oorlas veroorsaak nie. Alle waswater vanaf die kombuis moet deur 'n vetvanger gaan voordat dit in die rioolsisteem vloei.
2. Die applikant moet aansluit by Stellenbosch Munisipaliteit se vullisverwyderingsdiens.
3. Indien voedsel op die perseel voorberei word vir verkoop aan die publiek moet die applikant aansoek doen by die Stellenbosch Munisipaliteit vir die nodige **lisensie** en 'n **geskiktheidsertifikaat** ingevolge R918 van 30 Julie 1999, by die Kaapse Wynland Distriksmunisipaliteit.
4. Alle voedselvoorbereiding/hanteringspersele moet voldoen aan die vereistes van R918 wat betrekking het op voedselpersele.
5. 'n Voldoende voorraad veilige skoon gepypde drinkwater moet voorsien word.
6. Indien enige aktiwiteit op die perseel geraas genereer berus die onus by die eienaar om die nodige klanktoetse te laat neem en die uitslae aan hierdie Departement voor te lê. (Die SABS Gebruikskode 0103 van 1994 asook die Regulasies van die Wet op Omgewingsbewaring Nr.73 van 1989 moet as riglyn dien.)

Die uwe

J.G. DE VRIES

nms. Munisipale Bestuurder

FILE NR:	ERF 13836
SCAN NR:	
COLLABORATOR NR:	259218

Boyd 13/12

(34)

MEMO AAN :	Signage (B de la Bat)
	Corporatê (P Smit)
	Hoof : Gesondheidsdienste / Health Department
<input checked="" type="checkbox"/>	Direkteur : Elek Ing dienste/ Electrical
	Direkteur : Ing en Tegn Dienste / Engineering Dep
	Direkteur : Bosbou / Recreation/Environment
	Direkteur : Brandweerdienste / Fire Department
	Direkteur : Verkeersdienste / Traffic Department
	Traffic Engineer (N Winter/V Harris)

Aansoek / Application	Amendment of conditions + dep. Res.
Adres / Address	EJ 13836, Weltevreden Boulevard
Aansoek Datum / Application Date	2015-03-13
Aansoeker / Application	P G Carstens



Aangeheg vind u tersaaklike dokumentasie in verband met bogenoemde aansoek. Ten einde my in staat te stel om die aansoek aan die Beplanning- en Ontwikkelingskomitee vir oorweging voor te lê, word u versoek om my skriftelik van u kommentaar, indien enige, te voorsien.

Onderskei asseblief tussen algemene kommentaar op die meriete van die aansoek en enige voorwaardes wat u departement wil opleë indien die aansoek goedgekeur word.

Attached please find the relevant documentation regarding the abovementioned application. In order to enable us to submit the application to the Planning and Development committee for consideration, we request that you supply us with your written comment, if any.

Please intercept between general comment on the merits of the application and any conditions that your department would like to lay on if the application has been approved.

Geliewe die memorandum per hand aan my terug te besorg voor of op ... 14 March 2016
 Please forward the memorandum by hand to me on or before:
 (Datum/Date)

H Deacon
 DIRECTOR : PLANNING AND DEVELOPMENT SERVICES

GENERAL COMMENT:

. No Comment
 1.

CONDITIONS:

- Appropriate caution shall be taken during construction, to prevent damage to existing electrical equipment in the vicinity. Should damage occur, the applicant will be liable for the cost involved repairing damages.

	<u>30/03/2016</u>
HANDTEKENING / SIGNATURE	DATUM / DATE

E 13836 S
 419791



MEMO

DIRECTORATE: ENGINEERING SERVICES
DIREKTORAAT: INGENIEURSDIENSTE

To ◦ Aan: Director: Planning + Development Services
 Att Aandag Ms. H. Deacon
 From ◦ Van: JJ. Fourie (Development Services)
 Date ◦ Datum: 24/10/2012
 Our Ref ◦ Ons Verw: Erf 13836 Stellenbosch
 Re ◦ Insake: Erf 13836 Stellenbosch: Application for Special Development and Temporary Departure

The Directorate Engineering Services (Civil Engineering Section) recommend the application for a special development and a temporary departure for approval on the following conditions.

Water

- The water supplied to the property by the owner has to comply with the SANS 241 Drinking Water Quality Standards

Waste Water and Sewage

- No new septic tanks and soak - aways are permitted to be built for disposal of domestic and industrial effluent on site.
- The owner must dispose of the waste water and sewage in such manner that it does not pollute any surface water, stormwater and ground water.
- A professional service provider be appointed to investigate a water borne sewer system for the development to be connected to the Municipal sewer system.
- This connection is necessary to eliminate all the existing septic tanks and soak-aways.
- Grease traps to be installed in sewer system of all the food preparation areas.

Res
15/12

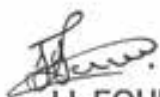
Solid Waste

- The solid waste must be removed from the site to a legal solid waste disposal site in accordance with the requirements of section 20 of the Environmental Conservation Act, 1989 (Act 73 of 1989)
- Provision must be made for the solid waste storage facility. The design of the building must make provision for a refuse storage room/ building, designed for the storage of refuse and complying with the following conditions.
 - Refuse storage area should be designed to accommodate the 240 liter municipal wheeled containers.
 - A minimum of 50 liters of storage capacity per person working or living on the premises, is to be provided to allow for a "once a week" collection frequency.
 - A tap with minimum 12mm diameter standard hose connection shall be provided in the Waste/ Recycling storage area/ room for washing containers and cleaning spillage. The floor should be drained towards a 100 mm floor trap linked to a drainage pipe discharging to a sewer gully outside the building. A grease trap/ gully is required in terms of the Water Services directorate.
 - The storage room/ building shall be roofed to prevent any rainwater from entering the sewer system and shall be adequately ventilated.

Bulk Infrastructive Contributions Services (BICL'S)

- The following BICL'S are payable on the services rendered by the Municipality.

Roads:	to be calculated on trips generated.
Sewage:	to be calculated on volume of sewage generated.
Solid Waste:	to be calculated on volume of solid waste generated.
Stormwater :	to be calculated on extra hardened surfaces created for parking.
Water:	only applicable when potable water is obtained from the Municipality.



JJ. FOURIE

HEAD: DEVELOPMENT SERVICES (ENGINEERING SERVICES)



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DEPARTMENT: PLANNING AND ECONOMIC DEVELOPMENT

APPENDIX D

Robert Fooy

From: Deon Carstens <deon@annabasson.co.za>
Sent: 15 February 2017 10:23 AM
To: Robert Fooy
Subject: [EX] Weltevreden - kommentaar
Attachments: Kommentaar Weltevreden.docx; Weltevreden Kommentaar.docx; Weltevreden Homestead (History).docx; Aerial view Colour (reduced size).jpg

Robert more

Jammer die kommentaar bereik jou nou eers – ek was bietjie uitstedig weens klein familie crises.

Ek het nie in veel detail ingegaan nie. Die vroeer skrywe gee meer detail.

Laat weet as daar wysiging of voorstelle is.

Mooi dag

Deon Carstens
M: +27 72 906 2717
F: +27 21 887 3875

Die Direkteur:Beplanning en Ekonomiese Ontwikkeling
 Stellenbosch Munisipaliteit
 Pleinstraat
 STELLENBOSCH
 Vir Aandag: Mnr R Fooy

PG Carstens
 Posbus 981
 STELLENBOSCH
 7599
 Junie 2016

Meneer

AANSOEK OM WYSIGING VAN VOORWAARDES EN AANSOEKE OM VERSLAPPING VAN BOULYNE –
 ERF 13836, WELTEVREDEN, STELLENBOSCH – LU/3995

Ek verwys na bostaande en die kommentaar/besware wat teen gemelde aansoek ontvang is.

1. Agtergrond

Gedurende 2015 is 'n vergadering met belanghebbendes van Welgevonden belê, ten einde sake van gemene belang te bespreek. Die vergadering is ook bygewoon deur Raadslid Serdyn en Senior Beplanner Colleen Charles.

Tydens die vergadering is klagtes rakende beweerde geraas bespreek en is daar in die gees van goeie buurmenskap maatreëls ingestel om die bedryf van aktiwiteite op die plaas Weltevreden verder te bestuur.

Beweerde geraas as gevolg van sekere aktiwiteite was die volgende:

- i) **Kinderspeelarea:** Kinders raas en die musiek by speelgrond steurend vir nabygeleë eienaars. – Weltevreden het aangebied om die musiek te staak en inderdaad so gedoen. Die feit dat die speelarea in normale "besigheidsure" bedryf word is deel van normale sosiale aktiwiteit – speelgroepe en speelparke kom oral in woonbuurte voor.
- ii) **Maze – Funksies:** Aktiwiteite in die area is beperk. Weltevreden het onderneem om geen verdere/nuwe troues te bespreek nie ten spyte van die groot finansiële impak op die bedryf van Weltevreden. Die voorstel is gemaak (en het algemeen byval gevind) dat die motors verskuif na die Tydelike tentstruktuur by die Maze en dat funksies plaasvind in die goedgekeurde area waar die motors tans gestoor word. Die aansoek wat toe reeds ingedien was, is dienooreenkomsteig aangepas.

Weltevreden het by die ondernemings gehou en het ook 'n desibelmeter op perseel ten einde te voldoen aan die toelaatbare desibels wat uit enige aktiwiteit voortspruit. Die toelaatbare desibels word nie oorskry nie.

2. Aansoek en kommentaar

26 Geregistreerde skrywes is aan individuele eienaars aangrensend aan Weltevreden gestuur. 6 Individuele eienaars asook die Huiseienaarsvereniging (HEV) het gereageer/beswaar aangeteken. (Daar is ook skrywes van direk aangrensende eienaars ontvang wat die aktiwiteite op Weltevreden ondersteun.) Welgevonden bestaan uit ongeveer 1000 eiendomme en veral die speelarea word daaglikse deur talle van die inwoners gebruik.

Die besware van die individuele eienaars handel uitsluitlik oor beweerde geraas – die beswaar word dus as een beswaar hanteer.

Uit die besware is dit duidelik dat die aansoek nie korrek verstaan word nie. Die geleentheid word egter "misbruik" om die beweerde geraas aan te spreek. Die grondgebruike soos op die perseel goedgekeur word nie per se as 'n probleem geopper nie.

2.1. HEV Kommentaar

Die HEV kommentaar is geskryf deur Johan du Plessis. Tydens gesprek met Johan was dit duidelik dat al die inligting nie deurgegee is nie en dat daar ook nie 'n terreinbesoek was nie. Die instruksies wat Johan ontvang het, het dit laat blyk dat daar aangebou gaan word. Die HEV is ook van mening dat die boulyn nie oorskrei behoort te word nie en dat stoor elders geplaas kan word. Johan het vergadering met HEV ondersteun.

Dit moet in gedagte gehou word dat die eiendom 'n uiters belangrike erfenisterrein is. Die grootste gedeelte van die grond is ook verklaar as 'n erfenisterrein en Erfenis Wes-Kaap het vorige voorstelle vir aanbou van geboue afgekeur. Die area waar die stoor voorgestel word is wel deur Erfenis Wes-Kaap goedgekeur. Die stoor kan dus nie enige plek op perseel geplaas word nie.

2.2. Individuele Kommentaar

Die kommentaar/Beswaar van individuele eienaars handel oor beweerde geraas vanaf die kinderspeelarea en funksies by die tentstruktuur.

Die maatreëls wat Weltevreden ingestel het het sover moontlik die "geraas" by kinderspeelarea beperk. Weereens, die speelarea is slegs gedurende normale dag-ure beskikbaar.

Die aansoek word juis gedoen om die funksies by die Maze te skuif na die goedgekeurde lokaal, bekend as die "Kelder". Ten einde die gebruik te skuif is die nodig om die motors te verskuif na 'n stoorarea. Die voorstel is dus om die motors tydelik in die tentstruktuur (met sekere wysigings), te stoor. Hierdie is nie die ideale stoorarea nie en die meer permanente oplossing is die bou van die stoor soos verwys in die aansoek. Weereens die areas op plan is die enigste gebiede waar geboue opgerig kan word.

Erf 13836 is gesoneer vir Landboudoeleindes en is sleg 3,7ha groot. Die eienaars is dus geregtig om werknemers te huisves en store op te rig. Die bewering van aangrensende eienaars dat die rustigheid van die area versteur word is nie gegrond nie, aangesien Landbou aktiwiteite met masjienerie en werkers mag plaasvind.

Dit is ook alombekend dat Historiese geboue nie onderhou kan word deur normale residensiële/gesinsgebruike nie. Wyle Dr Rupert het telkemale verwys na die ekonomiese aanwending van Historiese geboue. Die bekende "Conservation without sustainable income is just Conversation", spruit hieruit voort. Die geboue is teen groot koste opgeknop en moet finansiël onderhou word anders verval die geboue weer. Duidelike tekens van verval was reeds sigbaar toe die huidige eienaars die eiendom gekoop het.

Weltevreden Retief Residence verskaf tans werk aan ongeveer 65 mense uit Cloeteville en Kayamandi. Ongeveer 70% van hierdie mense was voorheen werkloos en is op die perseel opgelei.

Die aansoek is ook nie vir groot wysigings nie, maar die gebruik van tydelike strukture/afdakkies vir buitelig sit-areas. Oral in die dorp word buitelig areas gebruik. Dit is ook so dat baie plase restaurant en ander funksies aanbied juis om die lewensvatbaarheid van die Eiendomme te verseker en toerisme te bevorder.

Met bostaande agtergrond en kommentaar is dit ons mening dat die besware soos ontvang nie dui op teenkating teen die gebruike nie, maar wel die beweerde geraasfaktor. Geraas is iets wat bestuur kan word en die eienaars doen reeds hul bes om goeie buurmanskap te bevorder en in stand te hou. Stellenbosch kan nie bekostig om hierdie erfenisterrein en volhoubare werksgeleenthede te verloor nie.

Die Uwe

PG Carstens



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DEPARTMENT: PLANNING AND ECONOMIC DEVELOPMENT

APPENDIX E



DHM

du plessis • hofmeyr • malan

land law specialists

5 Maart 2016

Die Direkteur: Beplanning & Ekonomiese Ontwikkeling
Stellenbosch Munisipaliteit

Per telefaks 021-886-6899
En Per Hand

Meneer



E 138365

414501

**BESWAAR TEEN AANSOEK OM WYSIGING VAN VOORWAARDES EN AANOEKE OM
VERSLAPPING VAN BOULYNE: ERF 13836, WELTEVREDEN, STELLENBOSCH: AANSOEK NO.
LU/3995**

1. Ons tree op namens die Welgevonden Huseienaarsverenig.
2. U brief van 10 Februarie 2016 aan die Welgevonden Huseienaarsverenig is aan ons oorhandig vir verdere aandag.
3. In opdrag van ons klient teken ons hiermee namens ons klient formeel beswaar aan teen die toestaan van die betrokke aansoeke en wel vir die redes soos hieronder uiteengesit.

Huidige aansoeke

4. Die applikant doen aansoek dat die voorwaardes wat opgelê is met die toestaan van 'n tydelike afwyking gewysig word sodat die area wat tans deur die bestaande restaurant in beslag geneem word, uitgebrei word om in te sluit:
 - 4.1. dat 'n onderdak area buite van ongeveer 100 m² wat aan die bestaande restaurant grens en sitplek bied aan kliente, vir restaurant doeleindes gebruik kan word;
 - 4.2. 'n speel area vir kinders van ongeveer 100 m².
5. Die applikant doen voorts aansoek vir die volgende afwykings, naamlik die verslapping van:
 - 5.1. die 30m laterale boulyn tot 10m (agter en sy boulyne) om 'n 500 m² stoor en strukture op te rig wat in die speel area geleë sal wees; en
 - 5.2. die 30m syboulyn tot 10m ten einde die eienaar in staat te stel om die bestaande tent struktuur (wat ongeveer 400 m² onderdak bied) te "formaliseer" en vir stoordoeleindes (voertuie) te gebruik.

DU PLESSIS HOFMEYR MALAN INC (Registration Number: 2011/134562/21)

ATTORNEYS • CONVEYANCERS • NOTARIES

DIRECTORS: JP du Plessis B Juris LLB (UNISA), BPhil & MPhil Sustainability (US) •

CJ Hofmeyr BA LLB (US), LLM (HU-Berlin), LLM Public Law (UCT) • H Malan BA Industrial Psych (US), LLB (UNISA)

Unit No. 12, Paardevlei Specialist Medical Centre, Gardner Williams Avenue, De Beers Precinct, Somerset West, 7130 • PO BOX 70, Somerset Mall, 7137 • Tel: 021 851 0359 • Fax: 021 851 4852

Motivering van beswaar

6. Dit is belangrik om daarop te let dat tydelike afwykings, soos die woord "tydelike" aandui, uiteraard veronderstel is om tydelik van aard te wees. Met ander woorde, tydelike afwykings behoort slegs vir 'n beperkte tyd toegelaat te word en behoort nie gebruik te word om 'n behoorlike hersoneringsproses te vermy nie.
7. Die karakter van die uitbreidings en bouwerk soos in die vooruitsig gestel in die betrokke aansoek is duidelik nie van tydelike aard nie, maar dui op 'n bedoeling om 'n meer permanente gebruiksreg te vestig. As sulks behoort dit nie as "tydelike" afwyking toegelaat te word nie.
8. Welgevonden dorpsgebied het 'n residensiële karakter en die sonerings wat toegeken is aan eiendomme geleë binne daardie dorpsgebied is juis daarop gemik om die gebruiksregte van eienaars en bewoners tot so 'n mate te beperk dat dit die gewone gemak, gerief, stilte en vrede van inwoners behoort te verseker. Die oogmerke met daardie beperkings sal egter ongedaan gemaak word indien die eenaar van 'n direk aanliggende eiendom toegelaat word om sy eiendom op 'n wyse te benut wat **nie versoenbaar is met die residensiële karakter van Welgevonden nie**.
9. Die bestaande gebruik van Erf 13836 Stellenbosch gee volgens ons instruksies reeds aanleiding tot wesenlike inbreukmaking op die gewone gemak, gerief en stilte van inwoners van Welgevonden.
 - 9.1. Die geraas wat voortspruit uit die bestaande gebruik van Erf 13836 is nie vergelykbaar met die geraas wat voortspruit uit gewone residensiële gebruike nie. Die geraasvlakke van die aktiwiteite op Erf 13836 is volgens ons instruksies veel hoër as dit wat voortspruit uit Welgevonden se residensiële gebruike.
 - 9.2. Indien die restaurant bedrywighede uitgebrei sou word soos in die betrokke aansoek in die vooruitsig gestel word, gaan dit noodwendig lei tot verhoogde geraasvlakke en verdere inbreukmaking op die regte van eienaars en inwoners van Welgevonden eiendomme. Dit is onwenslik en behoort nie toegelaat te word nie.
 - 9.3. Die aansoek vir wysiging van die betrokke goedkeuringsvoorwaarde behoort dus afgekeur te word op grond van **gebrek aan wenslikheid** van die beoogde aanwending van die betrokke grond en op die grondslag van die uitwerking daarvan op betrokke bestaande regte.
10. Wat die voorgestelde verslapping van boulyne betref, die volgende:
 - 10.1. Die vertrekpunt behoort te wees dat die betrokke boulyn 'n **bestaansreg** het en gerespekteer moet word. Goeie rede bestaan waarom die wetgewer dit nodig gevind het om voldoende ruimte/ afstand tussen geboue en strukture met boulyne te skep. Indien die aansoeke om verslapping van boulyne sou slaag, sou dit die hele doel met die ople van die betrokke boulyne veryd.
 - 10.2. Indien boulyne goedsmoeds geïgnoreer kan word of vir geen goeie rede nie verslap kan word (soos ons aanvoer die applikant wil hê die munisipaliteit moet doen), is die vraag of die betrokke boulyne werklik enige bestaansreg het.

3 | Bladsy

- 10.3. Ons gee in oorweging dat daar geen dwingende rede bestaan waarom die betrokke strukture in die bepaalde posisie opgerig moet word nie. Voorts dat daar, met respek aan die boulyne, meer as genoeg ruimte elders op die eiendom is waar die struktuur met gemak opgerig kan en met minder impak op die regte van bure (d.w.s. indien bevind sou word dat die beoogde uitbreidings aan die restaurant en verwante aktiwiteite nie onwenslik is nie).
- 10.4. Indien die boulyne verslap sou word soos deur die applikant in die vooruitsig gestel, sal dit beteken dat die afstand tussen die aktiwiteite op Erf 13836 nader geskuif gaan word aan die inwoners van Welgevonden en dat die bestaande negatiewe impak van die tydelike gebruiksreg op hulle regte, gaan toeneem. Dit is uiteraard onaanvaarbaar
- 10.5. Die aansoek vir afwyking van boulyne behoort dus afgekeur te word op grond van gebrek aan wenslikheid en op die grondslag van die uitwerking daarvan op betrokke bestaande regte.
11. Ons wag om van u te verneem.

Vriendelike groete,

DU PLESSIS HOFMEYR MALAN ING.



PER:
J P DU PLESSIS

René Hefer
7 Honeybusch Street
Welgevonden
Stellenbosch
7600

Cell: 0836275487

11 March 2016

H Deacon
Planning and Economic Development
P.O. Box 17
Stellenbosch
7599

Sir/Madam

Application No: LU/3995 - Erf 13836

E 13836S

416143



I, René Hefer, residing on Erf 15453, Welgevonden Estate hereby object to the abovementioned application as described below:

1. Application for the amendment of the approval conditions applicable to the temporary departure to extend the area of the existing restaurant to include the undercover outside seating area of + 100 m², adjoining the existing building used for restaurant purposes and to include the children's play area of + 100 m² (The Carnival), as indicated on the attached plan;
2. An application of a departure on Erf 13836, Stellenbosch, to relax the 30 m lateral building lines to 10 m (side and rear building lines) to construct a 500 m² store and the structures located in the play area, as indicated on the attached plan; and
3. An application for a departure on Erf 13836, Stellenbosch, to relax the side building lines from 30 m to 10 m to enable the owner to formalize the existing tented structure and to use it for storage purposes (cars) with an undercover area of 400 m² as indicated on the plan.

Reasons for objection

Despite numerous attempts to request the curbing of noise levels emanating from Weltevreden with Mr André Bezuidenhout, Weltevreden Estate Management and Welgevonden Management no attempt has been made to institute any of the proposed solutions.

The noise levels are impacting on the quality of life and consequent value of my property. My decision to purchase this plot and build my house in Welgevonden was based on the premise that Weltevreden Estate was managed as a heritage site. The development of Weltevreden Estate as a commercial concern was never cited. What was once a peaceful residence has turned into a dwelling where the activities on Weltevreden Estate impacts daily on the quality of life and peace of mind of me and my family.

I urge the Council not to approve this application in the best interest of the community who lives in Welgevonden

Yours sincerely

René Hefer

René Hefer

P-25/4.
202/3

KOBUS EN FRANCES JANSE VAN RENSBURG

Posadres: Kouterstraat 14
Welgevonden Landgoed
Stellenbosch
0076

selfoon: +27 (0) 828076524
e-pos: kobusvanr@gmail.com

10 MAART 2016

DIREKTEUR: BEPLANNING EN EKONOMIESE ONTWIKKELING
Stellenbosch Munisipaliteit

PER HAND:

Meneer,

BESWAAR TEEN DIE AANSOEK OM WYSIGING VAN DIE VOORWAARDES VAN N
GOEDGEKEURDE TYDELIKE AFWYKING EN AFWYKINGS: ERF 13836, EN OMGEWING
WELTEVREDEN, STELLENBOSCH.



Hierdie beswaar word gerig as eienaars van erf 15463, Welgevonden landgoed, Stellenbosch met fisiese adres Kouterstraat 14, Welgevonden landgoed, Stellenbosch. U brief gedateer 10 Februarie 2016 en met geregistreerde datum stempel 12 Februarie 2016 het betrekking op die skrywe.

1. Opsomming van die aansoek:

Ons opsomming van die aansoek is die volgende.

1. Om die tydelike goedkeuring van die restaurant in die Jonkmanshuis word uit te brei om die bestaande onderdakarea van ongeveer 100m² in te sluit by die restaurant area.
2. Om die strukture van die kinderspeelarea van ongeveer 100m² in te sluit by die restaurant.
3. Om die agter- en sy-boulyn van 30m te verslap ten einde n stoor van 500m² op te rig sowel as die bestaande strukture van die speelarea.
4. Om die sy-boulyn van 30m te verslap ten einde die bestaande tentstruktuur te wettig vir stoordoeleindes(motors) van 400m².

2. Historiese oorsig en motivering vir ons beswaar:

2.1 Groen Strook.

Tydens die ontwikkeling van Welgevonden Landgoed het die vorige eienaar van Weltevreden Plaas, Mnr. Chris Peale as voorwaardes vir die ontwikkeling van Welgevonden gestel dat n breë groen strook tussen die grens en die eerste huise moet wees asook dat al die huise aangrensend aan Weltevreden n sekere gemeenskaplik argitektoniese ontwerp moet he en dat almal wit geverf moet wees met grys dakke.

Hierdie voorwaardes is nagekom.

Daar is dus tans n wye groen strook tussen Weltevreden en die aangrensende huise van Welgevonden. Hierdie groen strook is van groot waarde en baie belangrik vir al die Welgevonden inwoners aangesien dit daaglik as n draf/stap/fietsry area gebruik word.

Die boulyn van 30m van toepassing op Weltevreden het waarde as visuele grens tussen Welgevonden en Weltevreden. Die boulyn is gevestig en daar is n rede en doel dat dit daar moet wees.

2.2 Welgevonden se aard en karakter as woongebied.

Welgevonden is n residensiële ontwikkeling waar oud en jonk saam woon sonder kommersiële of ander openbare geriewe in die woongebied.

Welgevonden het n eiesoortige atmosfeer en leefstyl waar almal uitleef na buite en die groen oop areas en wandel paaie geniet en gebruik. Kinders ry fiets en almal stap/draf nog tot laataand in die parke en strate. Welgevonden is dus n rustige woonbuurt met geleentheid om buite te ontspan.

Weltevreden het hierdie rus kom versteur met die kinderspeelarea en veral die funksiegeriewe.

Die geraas van die kinderspeelarea is uiters steurend. Normale speel van kinders is nie vir ons n probleem nie, maar waar n groot aantal kinders gil en jil van vroeg oggend tot laat middag, is n ander saak.

Die funksie area in die tent struktuur is n groot probleem. Groot klankstelsels word gebruik vir konserte, troues, kantoorpartytjies, bekendstellingsgeleenthede en ook van tyd tot tyd vir liefdadigheidsgeleenthede. Die geraas is ondraaglik en ons kan nie tydens die geleentheid normaal lewe nie. Ons moet binnenshuis vlug en vensters en deure toemaak om te probeer ontsnap van die geraas, maar hoor dit steeds.

Daar is ook al kantoorpartytjies of soortgelyke byeenkomste by die genoemde onderdak area langs die restaurant gehou waartydens groot groepe mense lawaai tot laataand

Ons lewenstyl word baie negatief geraak deur die bedrywighede.

2.3 Oorspronklike restaurant goedkeuring.

Die oorspronklike goedkeuring deur die Stellenbosch Munisipaliteit, gedateer 14- 11- 2012, het die volgende gestel.

- a. *"temporary Departure on erf 13836 to enable the owner to utilize the existing dwellings on the property for restaurant purposes and the existing wine cellar as a function venue, as shown"*
- b. *"that in the event of music or noise being generated on the premises. an approved consultant be appointed by the developer to advise him on precautionary measures to be taken in order to avoid environmental noise pollution in terms of the Noise Control Regulations"*

Met betrekking tot (a.) die volgende:

1. Die onderdak sitarea by die restaurant is opgerig sonder goedkeuring en teenstrydig met die goedkeuring van 14-11-2012. Slegs die bestaande geboue(Jonkmanshuis) mag as restaurant gebruik word.Wanneer die gaste buite in die onderdakarea sit, is die geraas steurend.
2. Die kinderspeel area is teen Welgevonden se grens opgerig sonder dat iemand daarvan geweet het. Die speelarea word uit die Jonkmanshuis-restaurant bedien en die restaurant ondersteun die kinderspeelarea met kos en drank.
Verder is daar permanente strukture by die speelarea opgerig om pizzas te maak asook ander geregte.
 - Die oprigting van die speelarea is buite die Weltevreden boulyn van 30 m.
 - Die speelarea kan nie funksioneer sonder die restaurant nie en is dus n uitbreiding van die restaurant. Die speelarea is teenstrydig met die goedkeuring van 14-11-2012
 - Die speelarea is sonder Munisipale goedkeuring opgerig.
3. Die funksie area is verskuif van die goedgekeurde wyn kelder na die tentstruktuur in die sogenaamde "maze". Dit is teenstrydig met die goedkeuring van 14-11-2012 en sonder enige Munisipale goedkeuring deur die eienaar gedoen.

Met betrekking tot(b.) die volgende:

Daar is verskeie eposse en briewe aan die Munisipaliteit gerig waarin gekla is oor die buitensporige geraas vanaf die kinderspeelarea en die tent-funksiearea. Die bepaling t.o.v geraas in die oorspronklike Munisipale goedkeuring is beslis nie deur Weltevreden nagekom

nie en word steeds nie nagekom nie. Tydens die huidige woordfees word die tent area ook gebruik en is die geraasvlakke buitensporig hoog.

Opsommend is ons van mening dat die eienaar van Weltevreden nie die bepalings van die Munisipale goedkeuring nakom nie en intendeel dit doelbewus verontagsaam.

4. Beswaar

1. Die aansoek vir die wysiging van die goedkeuring voorwaardes om die restaurant uit te brei met die 100m² onderdak-sitarea en om die strukture van die kinderspeelarea in te sluit by die restaurant moet dus afgekeur word aangesien die vergroting van die geriewe die reeds onaanvaarbare geraasvlakke net sal vererger en verhoog.
2. Die aansoek vir die insluiting van die kinderspeelarea by die restaurant moet afgekeur word en die kinderspeelarea mag nie binne die 30m boulyn bedryf word nie. Die hoë geraas afkomstig van die kinderspeelarea is die motivering.
3. Soos vroeër bespreek, vorm die bestaande 30m boulyn van toepassing op Weltevreden plaas n deel van die groen area tussen Welgevonden en Weltevreden. Die groen area moet behoue bly. Geen geboue of kommersiële of ander bedrywighede moet binne die groen area geskied nie. Die oprigting van die 500m² stoor moet dus afgekeur word. Die visuele impak van geboue en die gepaardgaande addisionele geraas teen die grens van Welgevonden sal beslis negatief vir die inwoners van Welgevonden wees. Die aansoek om verslapping van die boulyn vir die oprigting van n stoor en om die bestaande tentstruktuur te wettig moet dus afgekeur word.
4. Die wettiging van die tentstruktuur moet afgekeur word weens die geweldige geraas wat vanuit die tent veroorsaak word en die feit dat die tentstruktuur buite die boulyn opgerig is. Daar is teenstrydige inligting vanaf die aansoeker verkry oor die nuwe gebruik van die tentstruktuur. In die aansoek word gesê dat dit vir stoor van die motors is maar in n opvolgende epos se die eienaar dat die beoogde nuwe stoor teen die suide grens as parkering vir die motors gebruik gaan word. Hierdie teenstrydige inligting wek agterdog oor die werklike motivering vir die behoud van die tentstruktuur.

Groete

Kobus en Frances Janse van Rensburg.



NS. Ons het op die 9e Maart 2016 n inligtingsvergadering bygewoon wat deur Adv Bezuidenhout se verteenwoordiger (Deon Carstens) en die algemene bestuurder van Weltevreden toegesprek is. Tydens die vergadering het hulle gesê dat die tentstruktuur ingerig word as stoorplek vir die motorversameling en die boogde stoor op die suidekant as algemene stoor gebruik sal word.

Adv Bezuidenhout het egter daarna per epos laat weet dat die motors in die stoor geberg sal word. Ons weet nou nie waarvoor die beoogde strukture gebruik sal word nie.

Die aansoek is ook nie duidelik hieroor nie.

Hierdie teenstrydige boodskappe maak ons beslis onrustig oor die gebruik van die strukture.

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Our ref: Erf 15295 Welgevonden Boulevard

Application number: LU/3995

Land Use Management Branch
Municipal Offices
Plein Street, Stellenbosch

Fax: 021-886 6899

2 Pages

Att: Robert Fooy

24 February 2016

Sir



Handwritten notes on a form: 13836, ERF 15295, 411983

OBJECTION TO APPLICATION FOR AMENDMENT OF CONDITIONS OF TEMPORARY DEPARTURE APPROVAL AND DEPARTURES: ERF1386, WELTEVREDEN, STELLENBOSCH

Herewith our objections to this application:

(1) Unacceptable increase in noise level generated by restaurant and play park

We are already struggling with noise levels from this business being run so close to a residential area. On week nights and weekends when events are being hosted, the noise from the loudspeakers and music being played is so loud, we cannot sit outside and are forced to close all doors and windows. Phone calls to the management to request the volume to be adjusted are either not answered, or the standard answer is that they are allowed to have this amount of noise until 10pm on week nights and 11pm on weekends. There are school-going children among our neighbours and this is an unfair situation affecting their sleep. In addition, if we have guests of our own, it infringes on our right to have a peaceful visit on our own patio or inside our own house.

In addition, the noise generated by dozens of children screaming and playing in the play park over weekends, the noise from the restaurant where the parents sit, is sometimes overwhelming. It's like living next door to a school that runs over weekends.

Any enlarging of the facilities will just exacerbate this untenable situation, further detracting from our quality of life and affecting our right to peace and quiet at our residential property during times when we should be at rest.

(2) Historic nature of national monument buildings not respected

All of our properties that are within line of sight of the Weltevrede Homestead are subjected to restrictions because of the historic nature of the property on that site. We have height, colour, patio covering, size restrictions, etc etc etc. All of this supposedly to protect the integrity of the Homestead's history. We feel it is already compromised by the circus tents and jungle gyms that have been erected. How will further extensions and additions protect its integrity? The situation is unfair because we are not even allowed to have a permanent

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roof covering on our patio due to these restrictions to "protect" the historical monument, but the owners of the Weltevrede property themselves have no such qualms or restrictions. It is a very one-sided situation.

For the abovementioned reasons, as well as problems with increased traffic, attracting crime, we are **NOT** in favour of this application being approved by the Municipality.

Yours faithfully



M J & D L Knutsen
Erf 15295 Welgevonden Boulevard

EM 15293

0832953053
info@peartree.co.za

130 Welgevonden Blvd
Welgevonden
Stellenbosch
7600

09 March 2016

Mnr Robert Fooy
Stellenbosch Munisipaliteit
Stellenbosch
7600

Beste Mnr Fooy, Mnr Carstens of vir wie dit mag aangaan,

Ek herken hiernee die ontvangs van die brief gerig aan my en my vrou rakende die afwykingsversoek op Erf 13836 of Weltevreden Landgoed.

Ons maak **sterk beswaar** teen al 3 die voorgestelde wysigings. Ons doen dit op grond van die groot hoeveelheid geraas en onsmaklikheid wat die Weltevreden Landgoed en die hele proses al oor die afgelope paar jare aan ons besorg het wat net oorkant die landgoed woonagtig is. Daar was nie in die verlede gehou by beloftes nie.

Ons voel uiters sterk dat daar nie toestemming gegee kan word aan enige aand programme of funksies op hierdie perseel nie. Dit is gelee langs 'n residensiële area (Welgevonden) en die geraas affekteer ons uiters negatief. Ons kan nie eers 'n gesprek in ons eie woonkamer ha (met alle deure en vensters toe), wat nog te se van mense oornooi op 'n aand) wat daar by Weltevrede 'n funksie gehou word nie. Behalwe vir die klipharde musiek en mense wat raas, word die motos ook party aande "opgestart" en "geref" wat baie steurend is vir ons.

Ons het nie 'n probleem met die kinder speel area en die lag, huil en skree wat ons daaglik van daar af hoor nie. Ons vra net vir rus en vrede na ure sodat ons ons huis kan geniet soos voor Weltevreden ontwikkel is.

Baie dankie vir julle samewerking en dat julle ag neem op ons klagtes.

Die uwe



WH & A Punt

130 Welgevonden Boulevard, Welgevonden, Stellenbosch, 7600

Director: Planning and Economic Development
 Stellenbosch Municipality
 17 Plein Street, Stellenbosch, 7600

For attention: Mr Robert Fooy



128 Welgevonden Boulevard
 Welgevonden Estate
 Stellenbosch
 7600
 Tel: 021 889 7914
 E-mail: cori@sun.ac.za
 10 March 2017

Dear Mr Fooy

Objection to: Application for amendment of conditions of temporary departure approval and departures: Erf 13836, Weltevreden, Stellenbosch

Your letter, dated 10 February 2016, regarding the application for amendment of conditions of temporary departure to erf 1386, Weltevreden, refers.

We would like to comment on the proposed application as follow:

1. We object to the extension of the restaurant area. We have complained on a number of occasions about the noise levels from the restaurant and childrens' play area. An extension of the restaurant could potentially increase the number of people and associated noise levels. While we are not against a small restaurant functioning during normal daytime business hours, an extension could increase its use as a function venue with associated increase in noise pollution. Our understanding is also that the restaurant is functioning under a temporary departure from agricultural activities and by approving the construction of permanent structures, we will condone the restaurant as a permanent land use change.
2. We do not approve of the relaxing of building lines from 30 to 10 meters on any side of the Weltevreden property. We bought our property in 2009 and one of the main "selling points" was the fact that the property is overlooking agricultural land, and as such would provide a rural and fairly quiet setting. There were very strict building regulations on the property laid down by the Welgevonden developers and Home Owners Association, to ensure that houses close to the Weltevreden homestead compliment this historical homestead setting. We gladly conformed to these regulations and are happy to have a beautiful view over the agricultural lands next to Welgevonden Estate.

According to points 2 and 3 of the nature of application in your letter the applicant proposes a total extension of storage built-up area of nearly 900 m². These alterations will be visible from our home. It will not only distract from the open agricultural land view we currently have, but will create a more commercial built-up view experience.

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We trust that the impact that the proposed alterations might have on our sense of place (with regards to noise and visual pollution) will be considered in the application.

Your sincerely

Two handwritten signatures in black ink. The first signature on the left is a stylized, cursive 'C'. The second signature on the right is more complex, appearing to be 'Hannél Ham' written in a cursive style.

Cori and Hannél Ham
Owners – plot 15294



Haakdoring 2
Welgevonden
STELLENBOSCH
7600
10 Maart 2016

VIR AANDAG
Grondgebruiksbestuursafdeling
Advieskantoor
Grondvloer
Munisipale Kantore
Pleinstraat
STELLENBOSCH
7599

Geagte Direkteur Beplanning en Ekonomiese Ontwikkelinge

SKRIFTELIKE BESWAAR

AANSOEK ERF 13836 WELTEVREDEN - WYSIGINGS VAN VOORWAARDES VAN 'N GOEDGEKEURDE TYDELIKE AFWYKING EN AFWYKINGS ERF 13836 WELTEVREDEN STELLENBOSCH

AANSOEKER PG Carstens

My verwysing: Erf 13836

Aansoek No LU / 3995

Aard van Aansoek (kortliks opgesom): verwys skrywe 10 Februarie 2016, soos per geregistreerde pos ontvang

- 1 Aansoek wysiging tydelike afwyking en vergroting van bestaande restaurant
- 2 Aansoek verslapping van boulyn 30m tot 10 meter ten einde nuwe struktuur (stoor) op te rig sowel as die struktuur in speelarea
3. Aansoek verslap boulyn vanaf 30m tot 10 m om bestaande tent struktuur te wettig en dit te gebruik vir stoordoeleindes (motors) met onderdak area van 400vierkante meter

Besware teen aansoek (punt 1 – 3)

Hiermee teken ek ZENDA BERNEDETTE JANSEN ID 6408100107084 AMPTELIK BESWAAR AAN TEEN DIE VOORGESTELDE AANSOEK DEUR PG CARSTNES VIR ERF 13836. Ek breek graag die aansoek (wat uit drie dele bestaan) op en spreek elkeen afsonderlik aan. Hierna volg 'n opgaaf van redes hoekom ek die aansoek nie kan goedkeur nie.

Aansoek 1 Aansoek wysiging tydelike afwyking en vergroting van bestaande restaurant

Ek teken beswaar aan teen hierdie aansoek (verwys motiverings/vrae soos hierbo vermeld).

Aansoek 2 Aansoek verslapping van boulyn 30m tot 10 meter ten einde nuwe struktuur (stoor) op te rig sowel as die struktuur in speelarea

Ek teken beswaar aan teen hierdie aansoek (verwys motiverings/vrae soos hierbo vermeld).

Aansoek 3 Aansoek verla boulyn vanaf 30m tot 10 m om bestaande tent struktuur te wettig en dit te gebruik vir stoordoeleindes (motors) met onderdak area van 400vierkante meter

Ek teken beswaar aan teen hierdie aansoek (verwys motiverings/vrae soos hierbo vermeld).

Opgaaf van redes vir aantekening van besware

A My konteks as eienaar te Haakdoring 2 (wat grens aan ERF 13836)

Ek het my woning gekoop juis omdat dit op een van die verste punte van Welgevonden is, juis sodat ek in

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'n rustier omgewing kon woon, waar ek nie op 'n buurmand se huiswoon reg op die grens met die kinderspeelarea naaste aan my. Aangesien ek "in die vlei" woon, is klank vanaf die restaurant area, asook die funksie area, net die van die "karnaval" by tye onuithoudbaar hard. Veral die geraas van die speel-area (met aangrensende "oop" restaurantarea) – veral op 'n Saterdag en Sondag – inbreek maak op my reg tot woon in 'n residensiele area, met natuurskoon aan die een kant, en woonhuise aan die ander kante. As ek GEWEET het dat daar 'n paar honderd meter van my woning 'n besigheid bedryf word – veral 'n speelarea met kuierarea vir kinders, asook 'n onthaalokaal, sou ek NOOIT in 'n eiendom belê het in Welgevonden nie. Dit voel ook asof die vlakke van geraas toegeneem het in die amper 2 jaar wat ek reeds in Welgevonden woon: van veral die kant van Weltevreden af.

B Onbeantwoorde vrae/ onsekerhede / gebrek aan waarborge

Ek het al verskeie kere uitgereik, op persoonlike vlak, na Weltevreden, maar voel nie gemaklik met (soms weersprekende) response (hetsy verbaal of skriftelik) ontvang nie. Ek kry ook nie daadwerklike response (of voorstelle tov probleemoplossing) op vrae nie. Die onderstaande vrae is ook nog nie op amptelike vlak beantwoord nie. Ek voel ongemaklik om net iemand se "woord" te neem tov sekere bekommernisse en hoe die aangespreek kan word. Voordat ek nie gemaklik voel oor die amptelike response tov onderstaande vrae nie, kan ek nie 'n besluit neem tov die aansoek nie.

Vraag 1 Speelarea (Karnaval)

Is die speelarea goedgekeur deur die munisipaliteit?

Mag die speelarea (met sy structure) as 'n besigheid bedryf word?

Is bure wat grens aan die speelarea op enige stadium gekonsulteer tov of hierdie bron van geraas, bure se goedkeuring wegdra? Mag 'n speelarea, wat op die skaal waarop dit tans bedryf word, reg langs 'n residensiele woonarea bedryf word?

Mag ek (en hoe mag ek) beswaar aanteken teen die geraas wat die speelarea veroorsaak, veral op 'n naweek?

Vraag 2 Onthaalarea skuif na restaurantarea

Is daar bepaal of die skuif van die huidige onthaalarea na die restaurantarea (waarvoor vergrotingstoestemming versoek word) die KLANKPROBLEEM, wat bure ervaar, aanspreek en indien wel, in hoe 'n mate?

Is daar geldige, objektiewe professionele verslag wat hierdie kan bevestig/verminderde klank kan waarborg?

Is daar 'n lisensie om onthale te mag hou? En wat is die ure (wat onthale in aand eindig) en hoe gereeld mag onthale gehou word?

Is daar lisensie om restaurant te mag bedryf?

Hoe kan ek as buurman "kla" as die geraas 'n steurnis raak? En indien ek kla, gaan daar iets gedoen word?

Vraag 3 Nuwe struktuur

Die versoek om die grens van 30m na 10 m te verslag om nog 'n struktuur ('n "stoor" te bou): watter waarborg het die bure dat hierdie stoor nie gebruik sal word vir doeleindes anders as 'n stoor nie – dit lê immers reg langs die "oop" Karnaval (wat ook uitgebou wil word)?

Hoekom moet bure 'n struktuur goedkeur wat potensieel net nog 'n uitdaging mag skep (en dit nog nader aan die grens?)

Hoe kan verseker word dat dit nie nog 'n omgewing is wat geraas (agv besigheid/werk) gaan genereer nie?

Vriendelike groete



Zenda Jansen

Eienaar Erf 15434

Haakdoring 2 Welgevonden

Tel 021 808 4842 / sel 0795237243

AGENDA

**PLANNING, ECONOMIC AND COMMUNITY
DEVELOPMENT COMMITTEE MEETING**

2018-02-06

6.	REPORTS FROM OFFICIALS: LED AND TOURISM
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NONE

7.	REPORTS FROM OFFICIALS: COMMUNITY DEVELOPMENT
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NONE

8.	REPORTS SUBMITTED BY THE MUNICIPAL MANAGER
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NONE

9.	NOTICES OF MOTIONS AND NOTICES OF QUESTIONS RECEIVED BY THE MUNICIPAL MANAGER
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NONE

10.	URGENT MATTERS
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11.	MATTERS TO BE CONSIDERED IN-COMMITTEE
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NONE