



Application Number: LU/12671

Our File Reference Number: Erf 13758, Stellenbosch

Your Reference Number:

Enquiries: Ulrich von Molendorff

Contact No: 021 808 8682

Email address: [Ulrich.Vonmolendorff@stellenbosch.gov.za](mailto:Ulrich.Vonmolendorff@stellenbosch.gov.za)

**PER E-MAIL:** [REDACTED]

Sir/Madam

**APPLICATION FOR AMENDMENT OF AN APPROVED SITE DEVELOPMENT PLAN ON ERF 13758, STELLENBOSCH**

1. The above application refers.
2. The duly authorised decision maker has decided on the above application as follows:
  - 2.1 That the following applications in terms of Section 15(2)(h) of the Stellenbosch Municipal Land Use Planning By-Law, promulgated by notice number 354/2015, dated 20 October 2015, on Erf 13758, Stellenbosch, namely:
    - 2.1.1 The **amendment of a condition of approval** to approve a revised Site Development Plan (Drawing number 001 – 001, Nov 2010 and Drawing number "Option 2" dated Thursday 15 April 2021, Drawn by BRINK STOKES MKHIZE) to allow for a portion of the 1<sup>st</sup> floor of Section 103 (Part of the first floor of Building 7) of La Belle Vie Sectional Scheme SS No. 217/2012, to be converted from commercial (319 m<sup>2</sup>) to residential units (1 x four-bedroom unit and 2 x two-bedroom units as noted on the revised Site Development Plan, attached as **Annexure 3**).

**BE APPROVED** in terms of Section 60 of the said Bylaw and **BE SUBJECT** to conditions in terms of Section 66 of the said Bylaw:

3. Conditions of approval.

3.1 The approval applies only to the application in question and shall not be construed as authority to depart from any other legal prescriptions or requirements from Council;

3.2 Building plans be submitted for approval by the Municipality for the conversion that comply with the approved Site Development Plan, attached as **Annexure 3**, (Drawing number 001 – 001, Nov 2010 and Drawing number “Option 2” dated Thursday 15 April 2021, Drawn by BRINK STOKES MKHIZE).

4. The **REASONS** for the above decisions are as follows:

4.1 The proposal will have no impact on the surrounding areas as no additional land use rights will be created by the approval of the application.

4.2 The proposal is not in conflict with any of the Municipality's policies.

4.3 The proposed conversion will have no impact on the existing coverage (footprint), bulk or height of the existing building.

4.4 The proposal will have no impact on the existing land use rights applicable to the subject property or hinder any further development of the property in total.

4.5 No additional traffic will be generated by the approval of the application under consideration.

5. You are hereby informed in terms of section 79(2) of the Stellenbosch Municipal Land Use Planning Bylaw, 2015, of your right to appeal the above decision to the Appeal Authority within 21 days from the date of notification of the above decision. Please note that no late appeals or an extension of time for the submission of appeals are permitted in terms of Section 80(1)(a) of the said By-Law.

6. Appeals must be submitted with the prescribed information to satisfy the requirements of Section 80(2) of the said By-law, failing which the appeal will be invalid in terms of Section 81(1)(b) of the said By-Law. The following prescribed information is accordingly required:

(a) The personal particulars of the Appellant, including:

(I) First names and surname;

(II) ID number;

(III) Company of Legal person's name (if applicable)

- (IV) Physical Address;
  - (V) Contact details, including a Cell number and E-Mail address;
- (b) Reference to this correspondence and the relevant property details on which the appeal is submitted.
- (c) The grounds of the appeal which may include the following grounds:
- (i) that the administrative action was not procedurally fair as contemplated in the Promotion of Administrative Justice Act, 2000 (Act 3 of 2000);
  - (ii) grounds relating to the merits of the land development or land use application on which the appellant believes the authorised decision maker erred in coming to the conclusion it did.
- (d) whether the appeal is lodged against the whole decision or a part of the decision;
- (e) if the appeal is lodged against a part of the decision, a description of the part;
- (f) if the appeal is lodged against a condition of approval, a description of the condition;
- (g) the factual or legal findings that the appellant relies on;
- (h) the relief sought by the appellant; and
- (i) any issue that the appellant wishes the Appeal Authority to consider in making its decision;
- (j) That the appeal includes the following declaration by the Appellant:
- (i) The Appellant confirms that the information contained in the subject appeal and accompanied information and documentation is complete and correct
  - (ii) That the Appellant is aware that it is an offence in terms of Section 86(1)(d) of the said By-Law to supply particulars, information or answers in an appeal against a decision on an application, or in any documentation or representation related to an appeal, knowing it to be false, incorrect or misleading or not believing them to be correct.

7. Appeals must be addressed to the Municipal Manager and submitted to his/ her designated official by means of E-mail at the following address:  
[landuse.appeals@stellenbosch.gov.za](mailto:landuse.appeals@stellenbosch.gov.za)

8. Any party (applicant or other) who lodges an appeal must pay the applicable appeal fee in terms of the approved municipal tariffs and submit the proof of payment together with the appeal. The **LU** Reference number on this correspondence, or the applicable Erf/ Farm Number must be used as the reference for the payment of the appeal fee.
9. The approved tariff structure may be accessed and viewed on the municipal website (<https://www.stellenbosch.gov.za/documents/finance/rates-and-tariffs>) and the banking details for the General Account can also be accessed on the municipal website (<https://www.stellenbosch.gov.za/documents/general/8314-stellenbosch-municipality-banking-details-1/file>).
10. An applicant who lodge an appeal must also adhere to the following requirements stipulated in terms of section 80(3) to (7) of the said By-law:
  - (a) Simultaneously serve the appeal on any person who commented on the application concerned and any other person as the municipality may determine.
  - (b) The notice by the applicant must invite persons to comment on the appeal within 21 days from date of notification of the appeal.
  - (c) The notice must be served in accordance with section 35 of the said legislation and in accordance with the prescripts or such additional requirements as may be determined by the Municipality.
  - (d) Proof of serving the notification must be submitted to the Municipality at the above E-mail address within 14 days of serving the notification.
11. Kindly note that no appeal right exists in terms of Section 62 of the Local Government Municipal Systems Act, No 32 of 2000.
12. Kindly note the above decision is suspended, and in the case of any approval, may therefore not be acted on, until such time as the period for lodging appeals has lapsed, any appeal has been finalised and you've been advised accordingly.

Yours faithfully

  
For: **DIRECTOR PLANNING AND ECONOMIC DEVELOPMENT**

8/9/2021  
DATE:



**Schedule of Rights : PHASE 2**

USE ZONE	Area 1 (Phase 1) SPECIAL BUSINESS	Area 2 (Phase 2) GENERAL BUSINESS
SITE AREA ERF 13758	Area 1 (Phase 1) 15 1032,78 sqm	Area 2 (Phase 2) 4 882,00 sqm
TOTAL	19 984,78 sqm	
HEIGHT ZONE	3 Storeys	
BUILDING LINES	0 m commercial, 7 m School for residential	
CONTROL	Frontage Height Area	
FLOOR AREA RATIO		
COMMERCIAL	4,25	0,72 (3 824 sqm)
RESIDENTIAL	1,0	0,15 (740 sqm)
COVERAGE		
COMMERCIAL	65 %	25 % (1 262 sqm)
RESIDENTIAL	50 %	9 % (439 sqm)
PARKING		
Commercial & Office	68 bays (2 378 sqm)	
Residential	9 bays (42 sqm)	
Other	15 per lot (6 x 15 m)	
TOTAL	102 bays	108 bays

**Area Schedule**

NO.	DESC.	AREA	UNIT	NO.	NO.
1	OFFICE	1 262	SQM	1	1
2	RESIDENTIAL	740	SQM	1	1
3	COMMERCIAL	3 824	SQM	1	1
4	OFFICE	1 262	SQM	1	1
5	RESIDENTIAL	740	SQM	1	1
6	COMMERCIAL	3 824	SQM	1	1
7	OFFICE	1 262	SQM	1	1
8	RESIDENTIAL	740	SQM	1	1
9	COMMERCIAL	3 824	SQM	1	1
10	OFFICE	1 262	SQM	1	1
11	RESIDENTIAL	740	SQM	1	1
12	COMMERCIAL	3 824	SQM	1	1
13	OFFICE	1 262	SQM	1	1
14	RESIDENTIAL	740	SQM	1	1
15	COMMERCIAL	3 824	SQM	1	1
16	OFFICE	1 262	SQM	1	1
17	RESIDENTIAL	740	SQM	1	1
18	COMMERCIAL	3 824	SQM	1	1
19	OFFICE	1 262	SQM	1	1
20	RESIDENTIAL	740	SQM	1	1
21	COMMERCIAL	3 824	SQM	1	1
22	OFFICE	1 262	SQM	1	1
23	RESIDENTIAL	740	SQM	1	1
24	COMMERCIAL	3 824	SQM	1	1
25	OFFICE	1 262	SQM	1	1
26	RESIDENTIAL	740	SQM	1	1
27	COMMERCIAL	3 824	SQM	1	1
28	OFFICE	1 262	SQM	1	1
29	RESIDENTIAL	740	SQM	1	1
30	COMMERCIAL	3 824	SQM	1	1
31	OFFICE	1 262	SQM	1	1
32	RESIDENTIAL	740	SQM	1	1
33	COMMERCIAL	3 824	SQM	1	1
34	OFFICE	1 262	SQM	1	1
35	RESIDENTIAL	740	SQM	1	1
36	COMMERCIAL	3 824	SQM	1	1
37	OFFICE	1 262	SQM	1	1
38	RESIDENTIAL	740	SQM	1	1
39	COMMERCIAL	3 824	SQM	1	1
40	OFFICE	1 262	SQM	1	1
41	RESIDENTIAL	740	SQM	1	1
42	COMMERCIAL	3 824	SQM	1	1
43	OFFICE	1 262	SQM	1	1
44	RESIDENTIAL	740	SQM	1	1
45	COMMERCIAL	3 824	SQM	1	1
46	OFFICE	1 262	SQM	1	1
47	RESIDENTIAL	740	SQM	1	1
48	COMMERCIAL	3 824	SQM	1	1
49	OFFICE	1 262	SQM	1	1
50	RESIDENTIAL	740	SQM	1	1
51	COMMERCIAL	3 824	SQM	1	1
52	OFFICE	1 262	SQM	1	1
53	RESIDENTIAL	740	SQM	1	1
54	COMMERCIAL	3 824	SQM	1	1
55	OFFICE	1 262	SQM	1	1
56	RESIDENTIAL	740	SQM	1	1
57	COMMERCIAL	3 824	SQM	1	1
58	OFFICE	1 262	SQM	1	1
59	RESIDENTIAL	740	SQM	1	1
60	COMMERCIAL	3 824	SQM	1	1
61	OFFICE	1 262	SQM	1	1
62	RESIDENTIAL	740	SQM	1	1
63	COMMERCIAL	3 824	SQM	1	1
64	OFFICE	1 262	SQM	1	1
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95	RESIDENTIAL	740	SQM	1	1
96	COMMERCIAL	3 824	SQM	1	1
97	OFFICE	1 262	SQM	1	1
98	RESIDENTIAL	740	SQM	1	1
99	COMMERCIAL	3 824	SQM	1	1
100	OFFICE	1 262	SQM	1	1

This drawing and all the information contained therein is the property of DENNIS MOSS PARTNERSHIP and shall remain confidential. It is to be used only for the purposes for which it is intended and shall not be used for any other purpose without the written consent of DENNIS MOSS PARTNERSHIP.



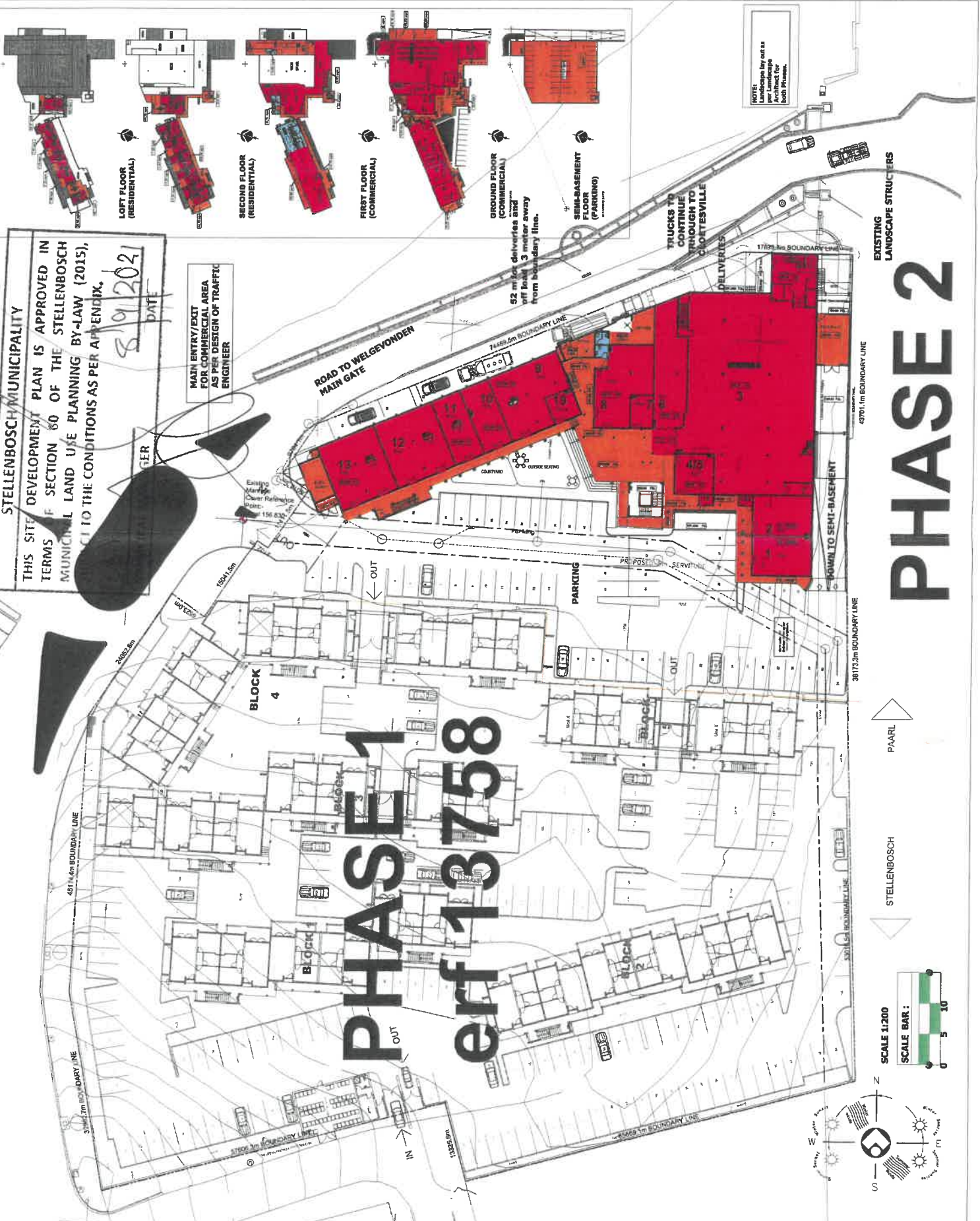
**MANHATTEN DEVELOPMENTS**

STONE SQUARE - WELGEVONDEN  
COMMERCIAL AND  
RESIDENTIAL DEVELOPMENTS  
ON ERF 13758, STELLENBOSCH

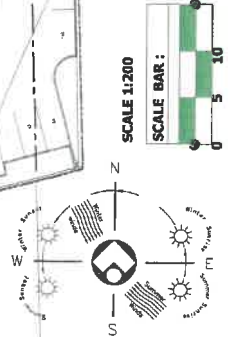
**SITE DEVELOPMENT PLAN  
PHASE 2**

PROJECT NO.	X2887	SCALE	1:200
DATE	NOV 2010	DATE	
NO.	001-001	NO.	MC
DESIGNED BY	MC	CHECKED BY	MC
DRAWN BY	MC	DATE	

AS BUILT DRW



# PHASE 2



STELLENBOSCH/MUNICIPALITY  
THIS SITE DEVELOPMENT PLAN IS APPROVED IN TERMS OF SECTION 60 OF THE STELLENBOSCH MUNICIPAL LAND USE PLANNING BY-LAW (2015), SUBJECT TO THE CONDITIONS AS PER APPENDIX.

DATE: 8/9/2021

MAIN ENTRY/EXIT FOR COMMERCIAL AREA AS PER DESIGN OF TRAFFIC ENGINEER

52 m for deliveries and off load 3 meter away from boundary line.

TRUCKS TO CONTINUE THROUGH TO CORTESVILLE

EXISTING LANDSCAPE STRUCTURES

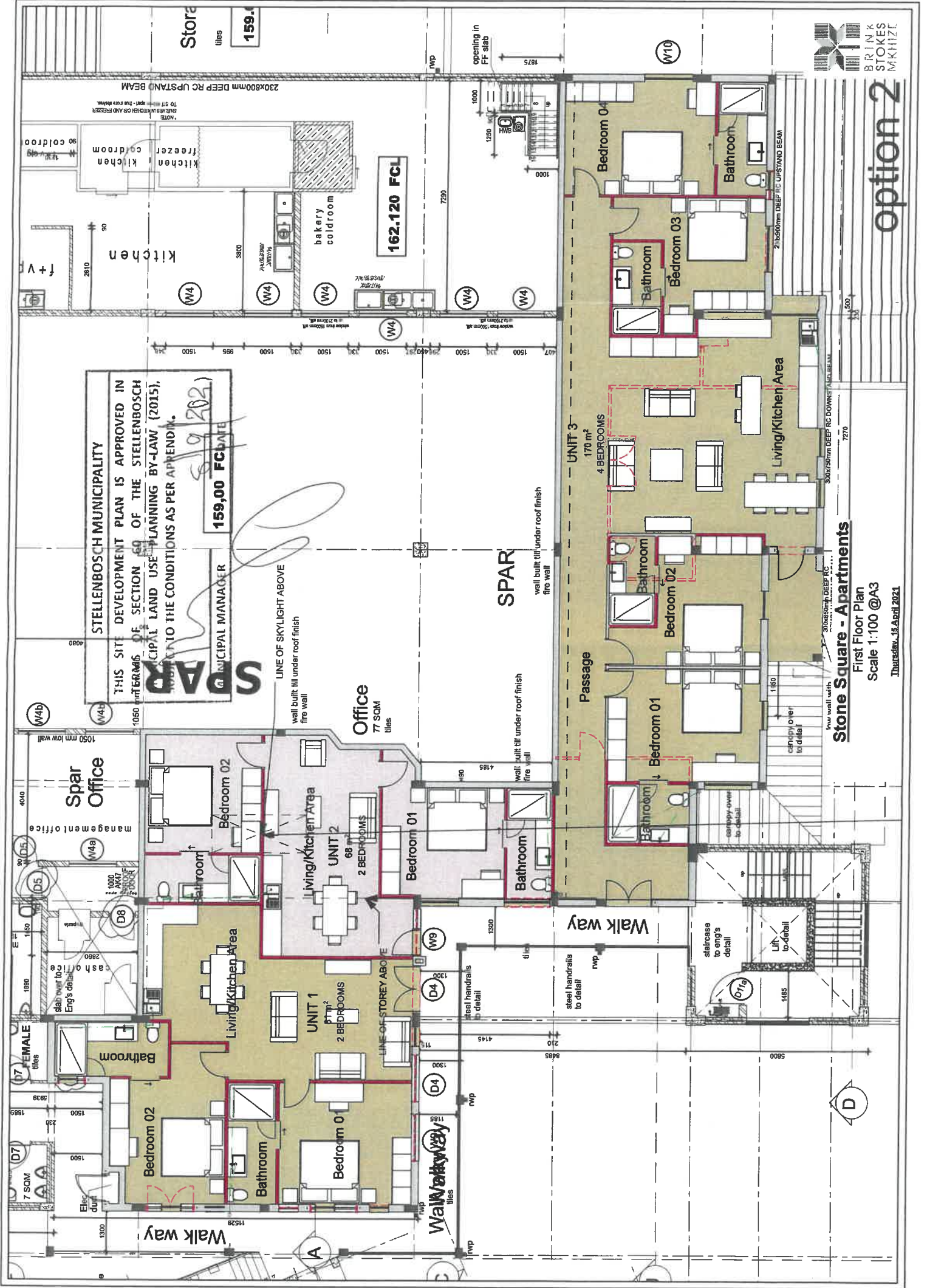
SCALE 1:200  
SCALE BAR: 0 5 10



Stone Square - Apartments  
First Floor Plan  
Scale 1:100 @A3

Thursday, 18 April 2021

STELLENBOSCH MUNICIPALITY  
THIS SITE DEVELOPMENT PLAN IS APPROVED IN  
SECTION 60 OF THE STELLENBOSCH  
MUNICIPAL LAND USE PLANNING BY-LAW (2015),  
SUBJECT TO THE CONDITIONS AS PER APPENDIX A.  
SPAR MUNICIPAL MANAGER 159,00 FCB DATE 2021



Storage tiles 159.0

162.120 FCL

159,00 FCB DATE

Office 77 SQM tiles

SPAR

Walk way

Walk way

Walkway

7 SQM

7 SQM

7 SQM

7 SQM

7 SQM

7 SQM

7 SQM

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