

## NOTICE OF LAND DEVELOPMENT APPLICATION TO INTERESTED AND AFFECTED PARTIES FOR COMMENT

Affected person's Name

Affected persons Physical Address

Affected person's Title:

The following land use application in terms of the Stellenbosch Land Use Planning Bylaw, 2015, refers: **APPLICATION FOR CONSENT USE AND PERMISSION IN TERMS OF THE ZONING SCHEME, ERF 1665 FRANSCHHOEK**

Application Property Address: Chamonix Estate, Uitkyk Street, Franschhoek

Application Property Number: Erf 1665 Franschhoek

Applicant: Peter Mons, Professional Planning Consultant, P O Box 851, Robertson. 6705. Contact Number: 082 826 4000. Email: petergm@fibresky.co.za

Owner: Cape Chamonix Holdings (Pty) Limited. C/o Mr. Stefan van Rooyen, P O Box 28, Franschhoek. 7690. Contact Number: 082 447 9853. Email: strauss@chamonix.co.za

Application Reference: LU/14135

Application Type: Consent Use and Permission required in terms of the Zoning Scheme

Detailed description of land use or development proposal, including its intent and purpose:

Application has been made in terms of Section 15(2)(o) of the Stellenbosch Municipality: Land Use Planning Bylaw 2015, for a Consent use for a Tourist Facility which will permit the use of the existing buildings and associated seating areas as a restaurant and wine tasting/sales area.

Application has been made in terms of Section 15(2)(g) of the Stellenbosch Municipality: Land Use Planning Bylaw 2015 for permission required in terms of the zoning scheme for an additional use which will permit the use of the existing building as a winery and maturation cellar.

Notice is hereby given in terms of the provisions of Section 46 of the said Bylaw that the above-mentioned application has been submitted to the Stellenbosch Municipality for consideration. The application is available for inspection on the Planning Portal of the Stellenbosch Municipal Website for the duration of the public participation process at the following address: <https://www.stellenbosch.gov.za/planning/documents/planning-notices/land-use-applications-advertisements>. If the website or documents cannot be accessed, an electronic copy of the application can be requested from the Applicant.

You are hereby invited to submit comments and / or objections on the application in terms of Section 50 of the said bylaw with the following requirements and particulars:

- The comments must be made in writing;
- The comments must refer to the Application Reference Number and Address,
- The name of the person that submits the comments;
- The physical address and contact details of the person submitting the comments;

- The interest that the person has in the subject application;
- The reasons for the comments, which must be set out in sufficient detail in order to:
  - o Indicate the facts and circumstances that explain the comments;
  - o Where relevant demonstrate the undesirable effect that the application will have if approved;
  - o Where relevant demonstrate any aspect of the application that is not considered consistent with applicable policy; and
  - o Enable the applicant to respond to the comments.

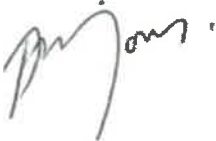
The comments must be addressed to the applicant by electronic mail as follows: Peter Mons E-mail: [petergm@fibresky.co.za](mailto:petergm@fibresky.co.za) . By lodging an objection, comment or representation, the person doing so acknowledges that information may be made available to the public and to the applicant.

The comments must be submitted within 30 days from the date of this notice to be received on or before the closing date of **5 September 2022**

It should be noted that the Municipality, in terms of Section 50(5) of the said Bylaw, may refuse to accept any comments/ objection received after the closing date.

For any enquiries on the Application or the above requirements, or if you are unable to write and /or submit your comments as provided for, you may contact the Applicant for assistance at the e-mail address provided or telephonically at 082 826 4000 during normal office hours.

Yours faithfully



PETER MONS Pr. Pln  
4 August 2022

**KENNISGEWING VAN GROND ONTWIKKELINGS AANSOEK AAN GEITRESEERDE EN GEAFFEKTEERDE PARTYE VIR KOMMENTAAR.**

Naam van geaffekteerde persoon

Fisiese adres van geaffekteerde persoon

Titel van geaffekteerde persoon:

Die volgende grondgebruiksaansoek in terme van Stellenbosch se Verordeninge op Grondgebruikbeplanning, 2015, verwys: **VERGUNNINGSGEBRUIK AANSOEK EN TOESTEMMING IN TERME VAN DIE SONERINGSSKEMA – ERF 1665 FRANSCHHOEK**

Adres van aansoek eiendom: Chamonix Landgoed, Uitkykstraat, Franschhoek

Aansoek eiendom beskrywing: Erf 1665 Franschhoek

Aansoeker: Peter Mons – Konsultant Stadsbeplanner. Posbus 851, Robertson, 6705. Kontak nommer: 082 826 4000. e-pos: petergm@fibresky.co.za

Eienaar: Chamonix Holdings (Pty) Limited. P/a Mnr. Stefan van Rooyen, Posbus 28, Franschhoek. 7690. Kontak nommer: 082 447 9853. Epos: strauss@chamonix.co.za

Aansoek Verwysing: LU/ 14135

Tipe Aansoek: Vergunningsgebruik en Toestemming in terme van die Zoneringskema.

Besonderhede van die grondgebruiksaansoek, insluitende die doel en uitkoms:  
Aansoek word gedoen vir 'n vergunningsgebruik in terme van Artikel 15(2)(o) van die Stellenbosch Munisipaliteit: Verordening op Grondgebruikbeplanning, 2015, vir 'n toeristefasiliteit ten einde voorsiening te maak vir die gebruik van die bestaande geboue en gepaardgaande sitplek areas as 'n restaurant en wyn proe/verkoop area.

Aansoek word gedoen in terme van Artikel 15(2)(g) van die Stellenbosch Munisipaliteit: Verordening op Grondgebruikbeplanning, 2015, vir toestemming vereis ingevolge die soneringskema vir 'n bykomende gebruik ten einde voorsiening te maak vir die gebruik van die bestaande gebou as 'n wynmakery en verouderingskelder.

Kennis word hiermee gegee in terme van die voorskrifte van die Artikel 46 van die genoemde Verordeninge dat bovermelde aansoek by die Stellenbosch Munisipaliteit ingedien is vir oorweging. Die aansoek is beskikbaar vir insae op die Beplannings Portaal van die Stellenbosch Munisipaliteit se Webtuiste vir die tydskuur van die publieke deelname proses by die volgende adres:

<https://www.stellenbosch.gov.za/planning/documents/planning-notice/land-use-applications-advertisements>. Indien die webtuiste of tersaaklike dokumente nie toeganklik is nie, kan die Aansoeker versoek word om 'n elektroniese kopie van die aansoek beskikbaar te stel.

Kommentaar en/ of besware kan vervolgens gedien word op die aansoek in terms van Artikel 50 van die tersaaklike Verordening wat die volgende vereistes en besonderhede moet bevat:

- Die kommentaar moet skriftelik wees;

- Die kommentaar moet die aansoek se verwysings nommer en adres insluit;
- Die naam van die persoon wat die kommentaar lewer;
- Die fisiese adres en kontak besonderhede van die persoon wat die kommentaar lewer.
- Die belang wat die persoon wat die kommentaar lewer, in die aansoek het.
- Die redes vir die kommentaar wat gelewer word, welke redes genoegsame besonderhede moet bevat ten opsigte van die volgende aspekte:
  - Die feite en omstandighede aantoon wat die die kommentaar toelig;
  - Indien toepaslik, aantoon wat die onwenslike resultaat sal wees indien die aansoek goedgekeur word;
  - Waar toepaslik moet aangetoon word indien enige aspek van die aansoek strydig geag word met enige relevante beleid;
  - Dat die insette voldoende inligting sal gee wat die aansoeker in staat sal stel om kommentaar daarop te lewer.

Die kommentaar moet by wyse van elektroniese pos aan die Aansoeker gestuur word as volg: Peter Mons, e-pos: petergm@fibresky.co.za Deur 'n beswaar, kommentaar of versoë te rig, erken die persoon wat dit doen dat inligting aan die publiek en aan die aansoeker beskikbaar gestel kan word.

Die kommentaar moet binne 30 dae van die datum van hierdie kennisgewing gestuur word en moet ontvang word voor of op die laaste dag van die sluitings datum van **5 September 2022**.

Daar moet kennis geneem word dat die Munisipaliteit, in terme van Artikel 50(5) van die vermelde Verordeninge, mag weier om enige kommentaar / beswaar te aanvaar wat na die sluitingsdatum ontvang word.

Indien daar enige navrae op die aansoek of bovermelde vereistes vir die lewer van kommentaar is, of indien dit nie moontlik is om geskrewe kommentaar te lewer of die kommentaar op die wyse te lewer soos voorsiening gemaak is nie, kan die Aansoeker geskakel word vir bystand by die vermelde elektroniese pos adres of telefonies by 082 826 4000 gedurende normale kantoor ure.

Die uwe



PETER MONS Pr. Pln  
4 Augustus 2022

**LU: 14135 – APPLICATION FOR CONSENT USE AND PERMISSION  
IN TERMS OF THE ZONING SCHEME, ERF 1665 FRANSCHHOEK**

**Date of Commencement and Closing Date**

The date on which the notices will be distributed is Thursday 4<sup>th</sup> August 2022 with the 30-day comment period closing on Monday 5<sup>th</sup> September 2022 and 60-day period closing on Monday 3 October 2022.

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## LU/14135 - APPLICATION FOR CONSENT USE AND PERMISSION IN TERMS OF THE ZONING SCHEME, ERF 1665 FRANSCHHOEK

### Executive Summary

The owner of Erf 1665 Franschhoek which forms part of the Chamonix Estate wishes to obtain the land use rights to continue using an existing building and associated outdoor seating areas as a restaurant and wine tasting/sales facility as well as a second existing building as a winery and maturation cellar. No record of an approval for these long-standing uses could be located and hence the need for the application to legalise the uses.

All of the intended facilities which are located in the northeast section of the property are accessed by an internal road system off the extension of Uitkyk Street and are serviced by a parking area.

In terms of the applicable By-Law a restaurant and wine sales and tasting facility are permitted as a Consent Use for a Tourist Facility while the wine cellar which measures less than 2000m<sup>2</sup> is permitted as an Additional Use for an Agricultural industry.

The Restaurant known as *Arkeste* consists of indoor seating area for up to forty guests, outdoor seating on a raised deck for thirty guests, a reception area, a serving bar, a kitchen, and cold storage area. The total floor area dedicated to the restaurant including the outdoor seating area measures 267m<sup>2</sup>.

The Wine Tasting/Sales Facility known as '*The Blacksmiths Cottage*' which is linked to the restaurant building consists of a reception counter, limited indoor and outdoor seating and a wine storage area. Wine can be tasted and purchased, and tours of the winery are also offered. The area of the building dedicated to wine tasting and sales measures 178 m<sup>2</sup> while the outdoor seating area with a maximum of 30 seats measures 28 m<sup>2</sup>. The indoor wine tasting area contains ±22 seats.

The cellar which is covered by soil contains areas for the processing of the grapes and the storage of the wine as well as areas where wine is matured in barrels. The total area taken up by the winery which also contains a mezzanine level measures approximately 863.65m<sup>2</sup>.

The securing of the rights for the restaurant, wine tasting/sales facilities and winery will result in the retention of a substantial number of employment opportunities. In addition, numerous local service providers also benefit. The facilities will also help to ensure that the farm remains a viable entity.

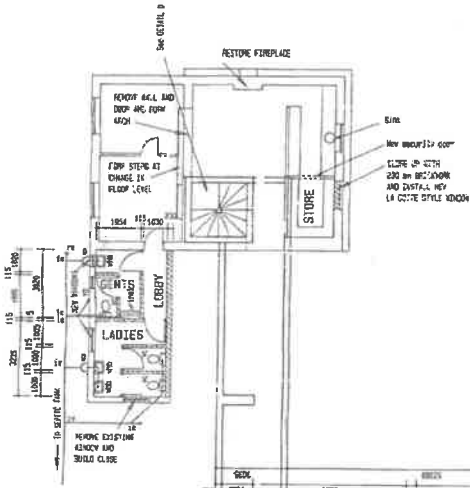
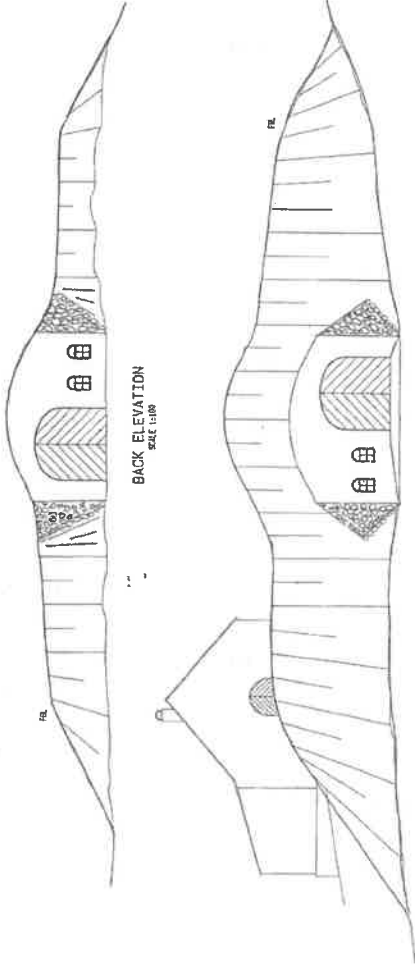
The proposal to permit the continued utilization of the existing structures as a restaurant and wine tasting/sales facility as well as a winery and maturation cellar, is considered to be desirable and deserves the council's support.

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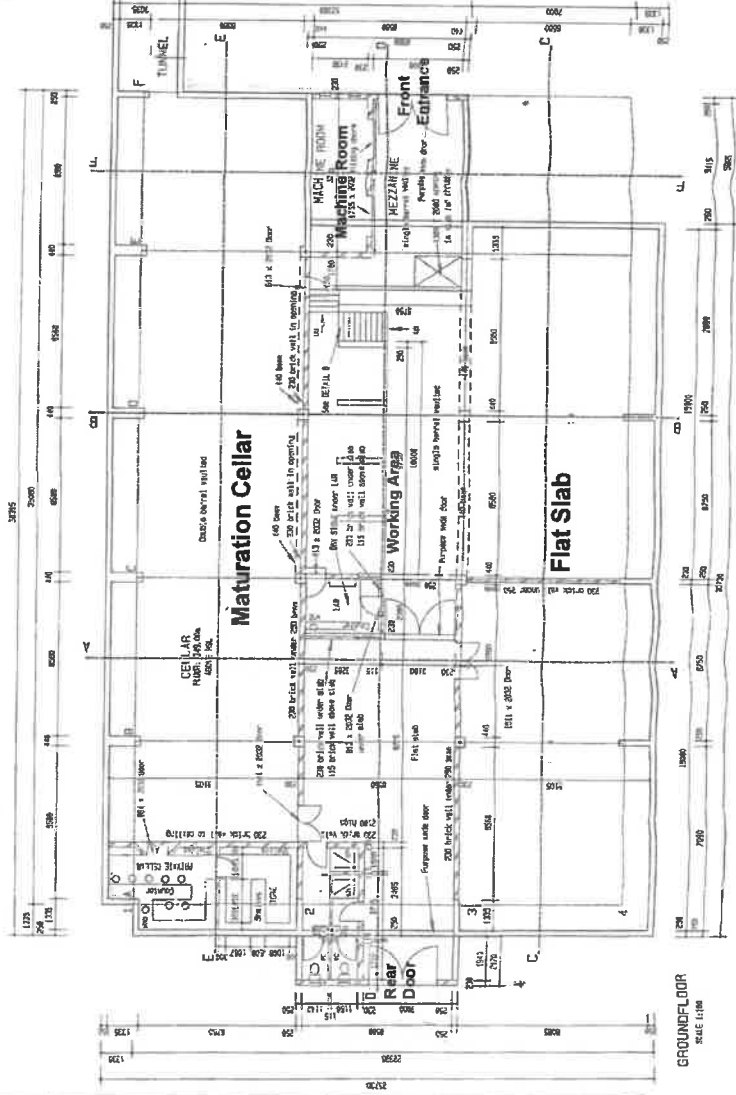




# Cellar Floor Plan and Elevations



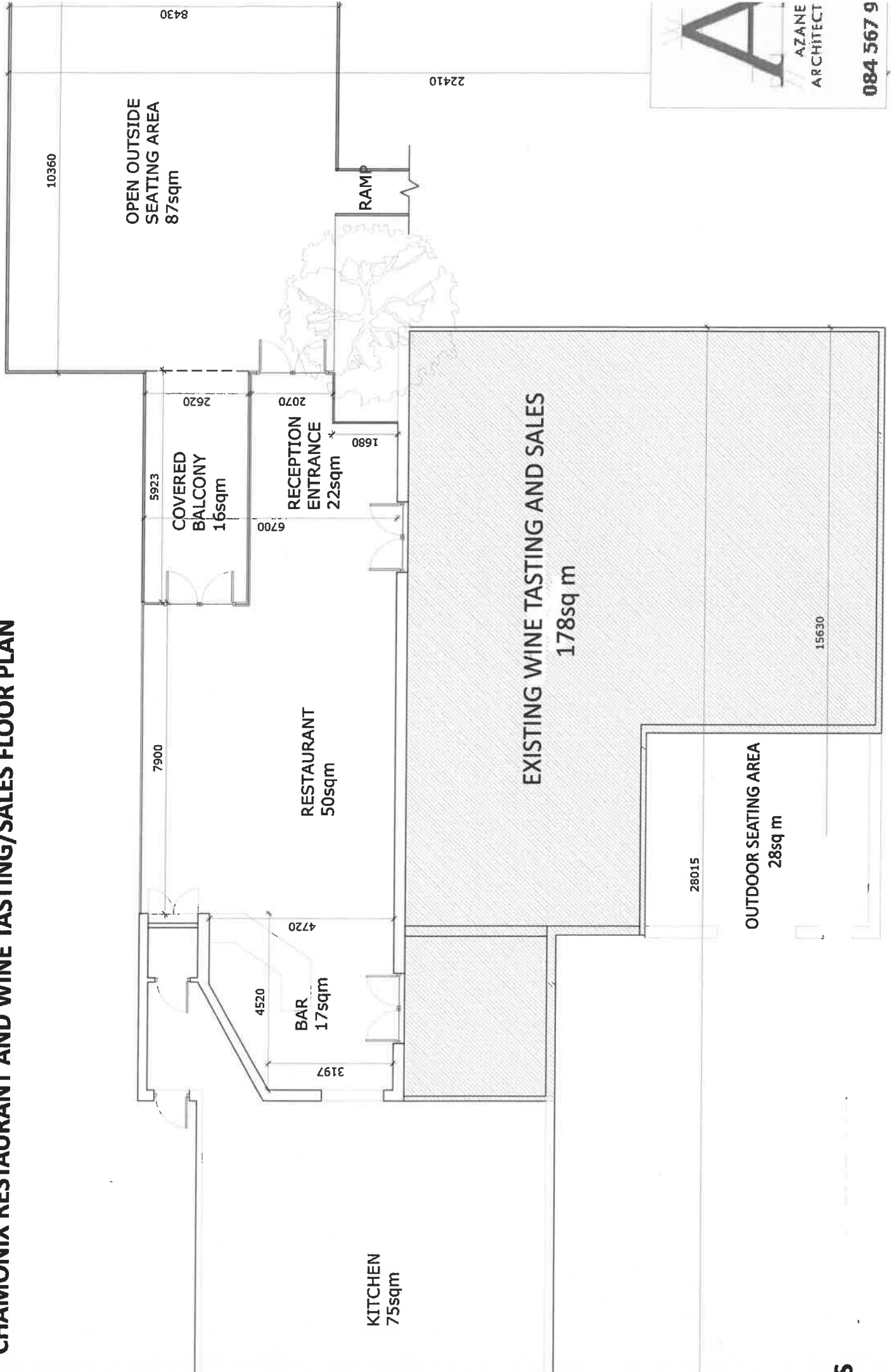
FRONT ELEVATION  
SCALE 1:100

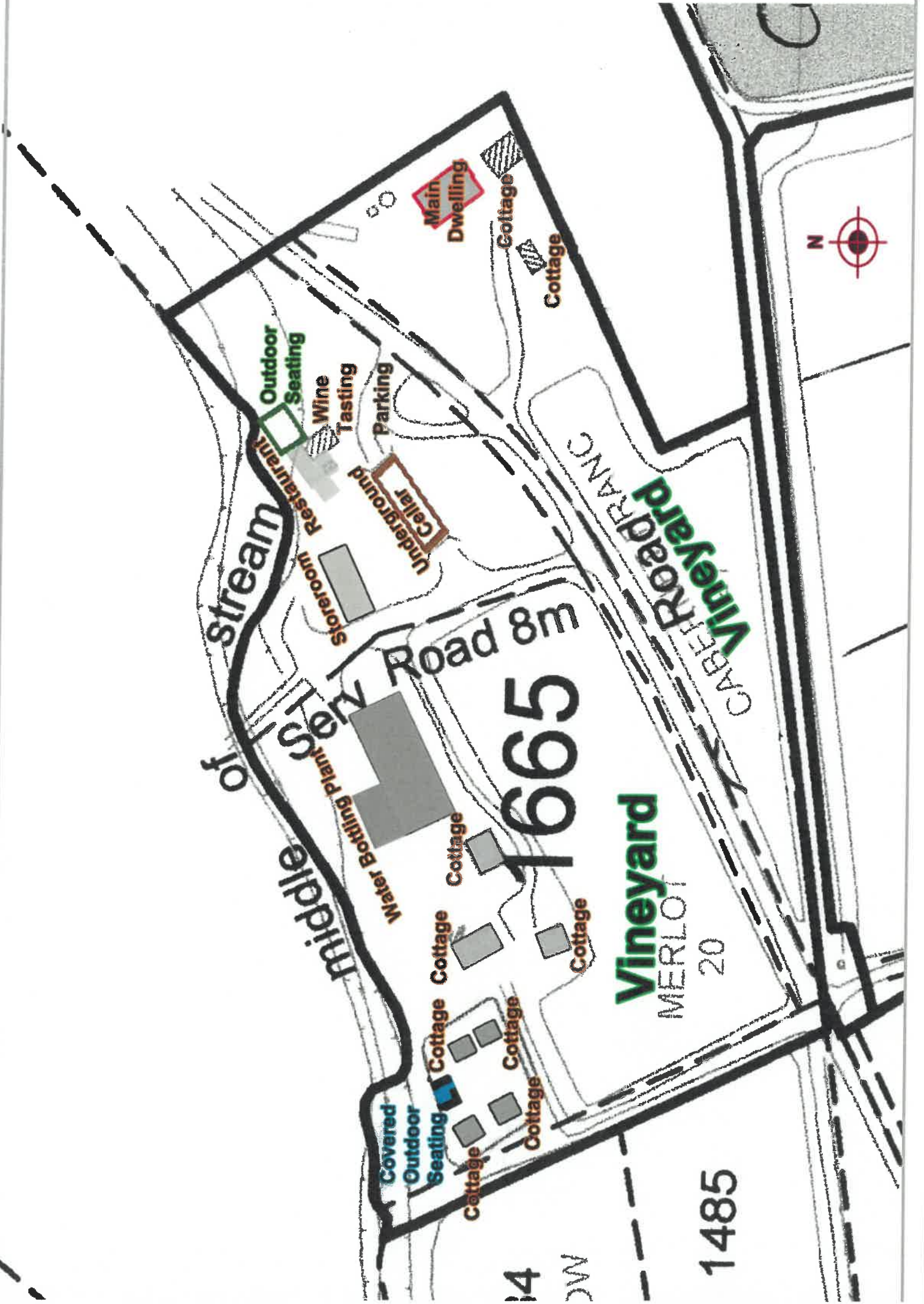


GROUND FLOOR  
SCALE 1:100



# CHAMONIX RESTAURANT AND WINE TASTING/SALES FLOOR PLAN





Middle of Valley

1665

Vineyard  
MERLOT  
20

CABERNET SAUVIGNON  
Vineyard

1485

Main Dwelling

Cottage

Cottage

Outdoor Seating

Wine Tasting

Parking

Underground Cellar

Storeroom

Water Bottling Plant

Covered Outdoor Seating

Cottage

Cottage

Cottage

Cottage

Cottage

Cottage

Cottage

Cottage

Cottage

Cottage

Road 8m

14

DWN