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## **LU/12206 Application for Rezoning, Consent Use and Departures: Erf 3292 Franschhoek**

### **Executive Summary**

The background to the application is that the owner of the property wishes to bring the land use rights in line with the intended use of the two existing buildings on the property. The property is currently zoned as Mixed-use zone which does not permit the desired uses. The owner therefore wishes to rezone the property to Multi-unit Residential Zone to facilitate the use of the two existing buildings as seven living units(flats) and a tourist lodge containing seven guest rooms.

The existing building on the eastern half of the property contains seven flats. Five of these flats consist of a lounge area, a single bedroom with a bathroom, a kitchen and private open courtyard. All these units are single storey. The building also contains two further flat units containing a lounge area, bedroom with on-suite bathroom, a kitchen and private courtyard all on the ground floor. An internal staircase leads to a second bedroom with an on-suite bathroom at first floor level. The single storey units measure  $\pm 51\text{m}^2$  which the two double storey units have a floor area of  $\pm 107\text{m}^2$ . The units all have access off a covered veranda facing onto the De Wet Street which results in an aesthetically pleasing façade facing onto the road. The building is setback approximately 4,5m from the street boundary allowing for off-street parking in front of the building.

This building located on the western section of the property measures approximately  $282\text{m}^2$ . It contains seven tourist rooms of approximately  $27.6\text{m}^2$  each consisting of a bedroom/lounge area and a bathroom with all the rooms being linked by a central passageway. At the entrance there is a further room with an office, toilet and laundry for guests use. The front door faces onto De Wet Street where off-street parking is provided. The building will operate as a tourist lodge providing accommodation but no meals.

A total of 18 parking bays plus a single garage are provided on the site. The parking bays all obtain direct access of De Wet Street.

Five departures are required to accommodate the proposal within the existing building. These relate to coverage, buildings lines and open space provision.

The proposal to rezone Erf 3292 Franschhoek to facilitate its use as seven one- and two-bedroom flat units in an existing building as well as a second building containing seven one-bedroom tourist units as well as an office and laundry, is considered to be an appropriate form of development for the property.

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

**Neem asseblief kennis dat hierdie kennisgewing in Afrikaans hieronder volg.**

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 REZONING, CONSENT USE & DEPARTURES: ERF 3292 FRANSCHHOEK**

Application Property Address: 6 De Wet Street, Franschhoek.

Application Property Number: Erf 3292 Franschhoek

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

Owner: Vinyl Investments (Pty) Ltd. C/o Mr John Fischer, Contact Number: 082 374 4652.  
Email: jge.fischer@gmail.com

Application Reference: LU/ 12206

Application Type: Application for Rezoning, Consent Use and Departures.

Detailed description of land use or development proposal, including it's intent and purpose:

Application is made in terms of Section 15(2)(a) of the Stellenbosch Land Use Planning By-Law, 2015, for the rezoning of Erf 3292 Franschhoek from its present zoning of Mixed-Use Zone to Multi-unit Residential Zone to permit an existing building to be converted to seven residential units(flats).

Application is also made in terms of Section 15(2)(o) of the Stellenbosch Land Use Planning By-Law, 2015, for a Consent Use in terms of the Multi-unit Residential Zone to permit an existing building to be utilised as a tourist accommodation establishment containing seven tourist rooms.

Application is also made in terms of Section 15(2)(b) of the Stellenbosch Land Use Planning By-Law, 2015, for the following departures required to accommodate the existing structures on the property:

- Departure to exceed the maximum coverage of 50% to allow a coverage of 54.2%;
- Departure to relax the rear building line from the required 4.6m to 1.9m for the Tourist accommodation establishment building and 0,0m to accommodate a garage;
- Departure to relax the eastern lateral building line from the required 4.5m to 4.1m for the flats building and 0.0m to accommodate a garage;
- Departure to relax the western lateral building line from the required 4.6 m to 0,02m to accommodate the tourist accommodation establishment building;
- Departure to provide 15% outdoor space instead of the required 20%.

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:
  - Indicate the facts and circumstances that explain the comments;
  - Where relevant demonstrate the undesirable effect that the application will have if approved;
  - Where relevant demonstrate any aspect of the application that is not considered consistent with applicable policy; and
  - Enable the applicant to respond to the comments.

The comments must be addressed to the applicant by electronic mail as follows: Peter Mons, Email: [petergm@fibresky.co.za](mailto:petergm@fibresky.co.za)

The comments must be submitted within 30 days from the date of this notice, to be received on or before the closing date of **24 May 2021**.

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  
22 April 2021

## AFRIKAANSE WEERGAWE VAN ADVERTENSIE:

### **KENNISGEWING VAN GROND ONTWIKKELINGS AANSOEK AAN GETRESEERDE 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: **AANSOEK VIR HERSONEERING, VERGUNNINGSGEBRUIK EN AFWYKINGS: ERF 3292 FRANSCHHOEK**

Adres van aansoek eiendom: De Wetstraat 6, Franschhoek

Aansoek eiendom beskrywing: Erf 3292, Franschhoek

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

Eienaar: Vinyl Investments (Pty) Ltd. P/a Mr John Fischer, Kontaknommer: 082 374 4652  
e-pos: .jge.fischer@gmail.com

Aansoek Verwysing: LU/ 12206

Tipe Aansoek: Aansoek vir Hersonering, Vergunningsgebruik en Afwykings

Besonderhede van die grondgebruiksaansoek, insluitende die doel en uitkoms:

Aansoek word gedoen in terme van Artikel 15(2)(a) van die Stellenbosch Verordeninge op Grondgebruikbeplanning (2015) vir die hersonering van Erf 3292 Franschhoek vanaf sy huidige sonering Gemengde gebruiksone tot 'n sonering van Multi-eenheid Residensieel Sone ten einde 'n bestaande gebou omteskakel tot sewe wooneenhede (woonstelle).

Aansoek word ook gedoen in terme van Artikel 15(2)(o) van die Stellenbosch Verordeninge Op Grondgebruikbeplanning (2015) vir 'n vergunningsgebruik ingevolge die Multi-eenheid Residensieel Sone om toe te laat dat 'n bestaande gebou gebruik word as 'n Toeristevebryfplek met sewe toeristekamers.

Aansoek word ook gedoen in terme van Artikel 15(2)(b) van die Stellenbosch Verordeninge Op Grondgebruikbeplanning (2015) vir die volgende afwykings om die bestaande geboue te

akkommodeer:

- 'n Afwyking om die maksimum dekking van 50% te oorskry om 'n dekking van 54.2% toe te laat;
- 'n Afwyking om die agterste boulyn te verslap van die vereiste 4.6m to 1.9m vir die touriste akkomodasie gebou en na 0.0m om 'n motorhuis te akkommodeer;
- 'n Afwyking om die oostelike syboulyn te verslap vanaf die vereiste 4.5m to 4.1m vir die woonstelgebou en tot 0.0m om 'n motorhuis te akkommodeer;
- 'n Afwyking om die westelike syboulyn te verslap vanaf die vereiste 4.6m tot 0.02n om die gebou vir toeriste akkommodasie onderneming te akkommodeer;

- 'n Afwyking om 15% buite ruimte toe te laat in plaas van die vereiste 20%.

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 tydsduur van die publieke deelname proses by die volgende adres: [\[https://www.stellenbosch.gov.za/planning/documents/planning-notice/land-use-applications-advertisements\]](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](mailto:petergm@fibresky.co.za)

Die kommentaar moet binne 30 dae vanaf die datum van hierdie kennisgewing gestuur word en moet ontvang word voor of op die laaste dag van die sluitings datum van **24 Mei 2021**.

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

22 April 2021

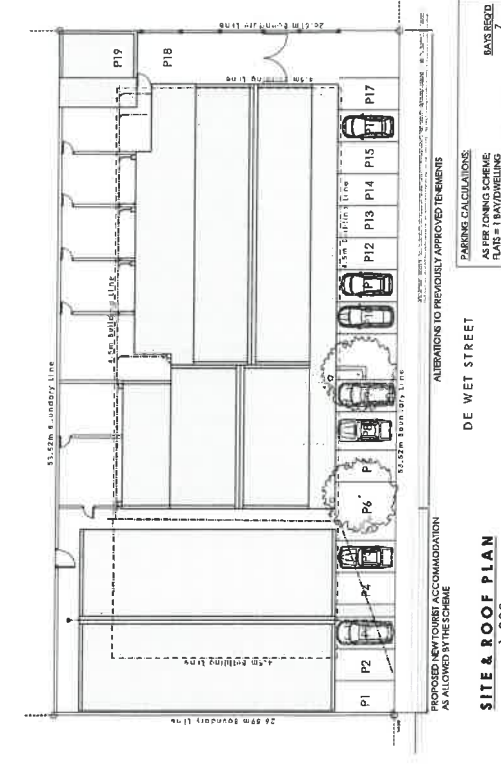
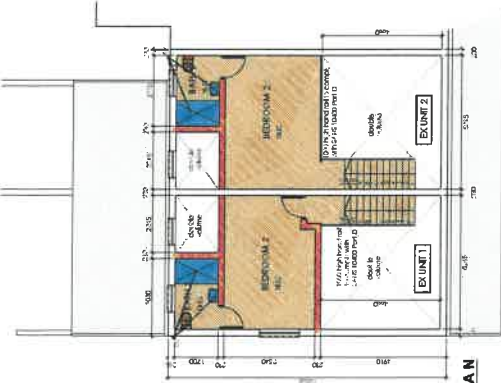


COVERAGE CALCULATIONS	
SITE AREA:	149,000 sqm
EXISTING COVERAGE:	46,644 sqm
PROPOSED COVERAGE:	266,240 sqm
TOTAL NEW COVERAGE:	772,080 sqm
COVERAGE - 54.5%	
FLOOR FACTOR:	1.70 sqm
<b>STRUCTURE</b>	
EX. GROUND STOREY:	41,535 sqm
EX. COVERED VERANDAH:	71,091 sqm
NEW GARAGE:	22,200 sqm
NEW COVERAGE:	13,911 sqm
NEW STRUCTURE (N1):	257,400 sqm
NEW COVERED WALKWAY:	46,030 sqm
EXTENSION TO EXISTING STRUCTURE:	37,721 sqm
FIRST FLOOR TO EXISTING STRUCTURE:	53,081 sqm

ALL GLAZING TO COMPLY WITH NBR  
 HWC TO BE COMBINATION ELECTRIC & HEAT PUMPS  
 ALL LIGHT FIXTURES TO BE ENERGY EFFICIENT

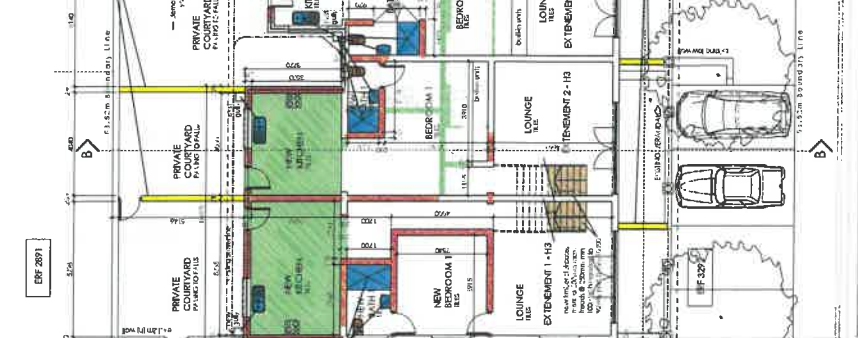
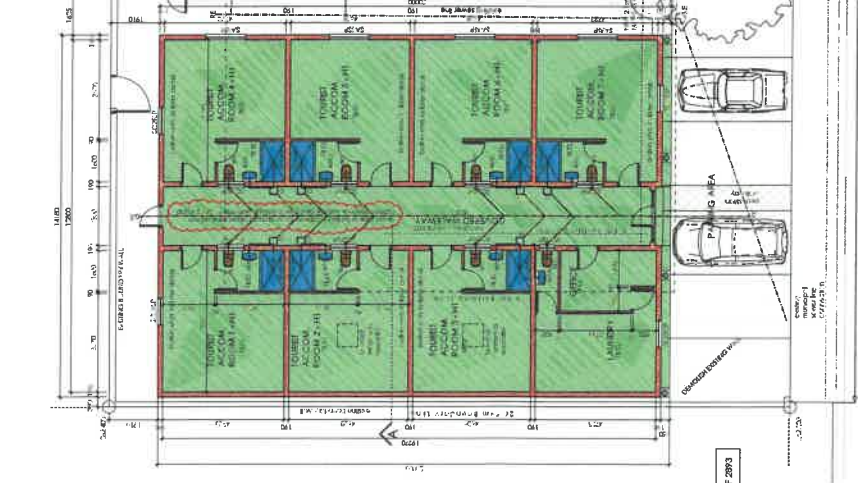
**CONTRACTOR TO BUILD ACCORDING TO N.B.R**

**FIRST FLOOR PLAN**  
1:100



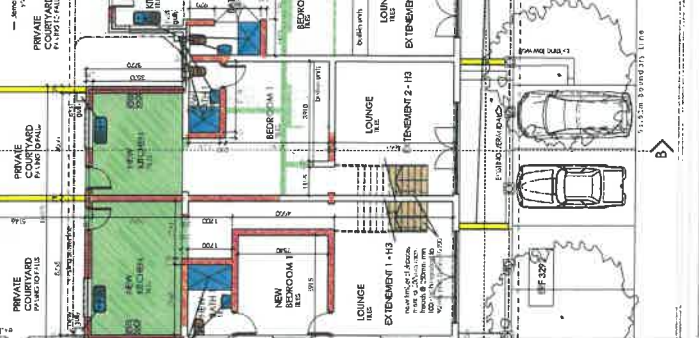
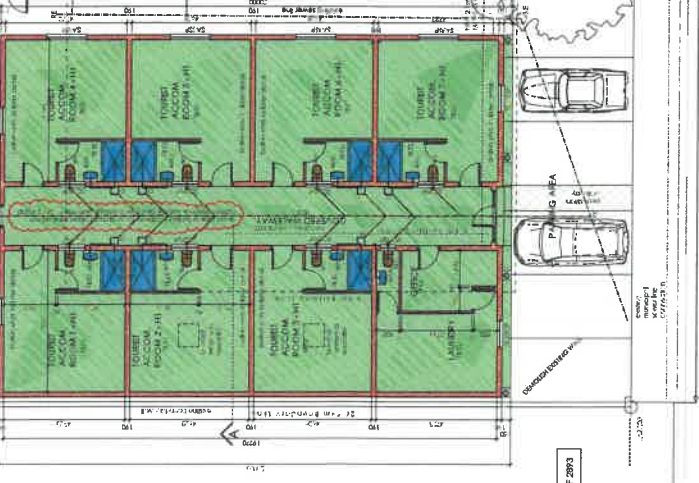
**CONSTRUCTION NOTES:**

- FOUNDATION: FOUNDATION SHALL BE CONCRETE ON COMPACTED SAND. ALL FOUNDATIONS TO BE REINFORCED WITH 12mm BARS @ 150mm SPACING. ALL FOUNDATIONS TO BE 100mm MINIMUM COVER TO REINFORCEMENT. ALL FOUNDATIONS TO BE 100mm MINIMUM COVER TO REINFORCEMENT.
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FOR INFORMATION ONLY	
SKETCH DESIGN	
COUNCIL SUBMISSION	
FOR TENDER	
FOR CONSTRUCTION	
<b>VINYL INV.</b>	
PROJECT	
PROPOSED ALT'S & ADDS AND NEW STRUCTURE ON ERF 3292, FRANSHOEK	
DRAWING TITLE	
COUNCIL SUBMISSION SITE & FLOOR LAYOUT PLANS	
ARCHITECT	
OWNER	
SCALE	1:100/200
DATE	FEB 2019
DWG. NO.	04/17SH/2020-01
REV	B
PREPARED BY: [Name] DRAWN BY: [Name] CHECKED BY: [Name] APPROVED BY: [Name] PROJECT MANAGER: [Name] PROJECT COORDINATOR: [Name] PROJECT ASSISTANT: [Name]	





