



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

The following land use application in terms of the Stellenbosch Land Use Planning Bylaw, 2015, refers:

Application Property Address: **9 Copenhagen Road, Rozendal**

Application Property Number: **3600**

Applicant: **Will Hammers**- will@ateljeewillhammers.co.za

Owner: **Anton Gerischer**- anton@ @g2design.co.za

Application Reference: LU/14711

Application Type: **Permanent Departure/ Suspension of Title deed Restriction/ Technical approval for Home Occupation Practice**

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

1. Application for a Permanent Departure in terms of section 15(2)(b) of the Stellenbosch Municipality Planning By-Law, 2015 for the relaxation of the following building lines:
 - Street building line (van Copenhagen street) to be set back 0m in lieu of 4.5m for the construction of an entrance canopy.
 - Northeastern common building line (adjoining erf 4741) to be set back 2m and 0m in lieu of 2.5m for the construction of a meeting room and entrance canopy.
 - Southwestern common building line (adjoining erf 3599) to be set back 1.625m in lieu of 2.5m for the construction of a covered stoep.
 - Northwestern common building line (adjoining erf 4741) to be set back 2m in lieu of 2.5m for the construction of a bedroom.
2. Application for the Suspension of Restrictive Conditions in terms of section 15(2)(f) of the Stellenbosch Municipality Planning By-Law, 2015 for the suspension of title deed condition B.4(d) of title deed T81562/08 for the following:
 - Street building line (van Copenhagen street) to be set back 0m in lieu of 4.725m for the construction of an entrance canopy.
 - Northeastern common building line (adjoining erf 4741) to be set back 2m and 0m in lieu of 3.15m for the construction of a meeting room and entrance canopy.
 - Southwestern common building line (adjoining erf 3599) to be set back 1.625m in lieu of 3.15m for the construction of a covered stoep.
 - Northwestern common building line (adjoining erf 4741) to be set back 2m in lieu of 3.15m for the construction of a bedroom.
3. Application for technical approval in terms of section 15(2)(g) of the Stellenbosch Municipality Planning By-Law, 2015, to allow a portion of the proposed first floor dwelling extensions to be used for home occupation practice (graphic design office) of 50m².

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 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: **Will Hammers**- will@ateljeewillhammers.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 **(60 days if it is a state entity)** from the date of this notice to be received on or before the closing date of **(16 August 2023 – 30 days/ 60days till 15 September 2023)**

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 **(0848022222)** during normal office hours.

Yours faithfully

Will Hammers

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

Die volgende grondgebruiksaansoek in terme van Stellenbosch se Verordeninge op Grondgebruikbeplanning, 2015, verwys:

Adres van aansoek eiendom: **Copenhagenstraat 9, Rozendal**

Aansoek eiendom beskrywing: **3600**

Aansoeker: **Will Hammers**- will@ateljeewillhammers.co.za

Eienaar: **Anton Gerischer**- anton@ g2design.co.za

Aansoek Verwysing: LU/ 14711

Tipe Aansoek: **Boulynoorskryding/ Opheffing van Titelakte beperking/ Tegniese goedkeuring vir Tuis besigheid**

Besonderhede van die grondgebruiksaansoek, insluitende die doel en uitkoms:

1. Aansoek om permanente afwyking in terme van gedeelte 15(2)(b) van die Stellenbosch Munisipaliteit se Beplanning Verordening, 2015 vir die verslapping van die volgende boulyne:
 - Straat boulyn (van Copenhagen straat) na 0m in plaas van 4.5m vir die konstruksie van 'n ingangsaftak.
 - Noordoos gemene boulyn (langs erf 4741) na 2m en 0m in plaas van 2.5m vir die konstruksie van 'n kantoor en and ingangsaftak.
 - Suidwes gemene boulyn (langs erf 3599) na 1.625m in plaas van 2.5m vir die konstruksie van 'n bedekte stoep.
 - Noordwes gemene boulyn (langs erf 4741) na 2m in plaas van 2.5m vir die konstruksie van 'n slaapkamer.
4. Aansoek vir die opheffing van beperkende titelvoorwaardes in terme van gedeelte 15(2)(f) van die Stellenbosch Munisipaliteit se Beplanning Verordening, 2015 vir voorwaarde B.4(d) van akte T81562/08 vir die volgende:
 - Straat boulyn (van Copenhagen straat) na 0m in plaas van 4.725m vir die konstruksie van 'n ingangsaftak.
 - Noordoos gemene boulyn (langs erf 4741) na 2m en 0m in plaas van 3.15m vir die konstruksie van 'n kantoor en and ingangsaftak.
 - Suidwes gemene boulyn (langs erf 3599) na 1.625m in plaas van 3.15m vir die konstruksie van 'n bedekte stoep.
 - Noordwes gemene boulyn (langs erf 4741) na 2m in plaas van 3.15m vir die konstruksie van 'n slaapkamer.
5. Aansoek vir tegniese goedkeuring in terme van gedeelte 15(2)(g) van die Stellenbosch Munisipaliteit se Beplanning Verordening, 2015, om 'n gedeelte van die eerstevloer uitbreiding as tuiskantoor te benut tot maksimum grootte 50m².

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 tydskedule van die publieke deelname proses by die volgende adres:

<https://www.stellenbosch.gov.za/planning/documents/planning-notices/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: **Will Hammers**- will@ateljeewillhammers.co.za. Deur 'n beswaar, kommentaar of vertoë te rig, erken die persoon wat dit doen dat inligting aan die publiek en aan die aansoeker beskikbaar gestel kan word.

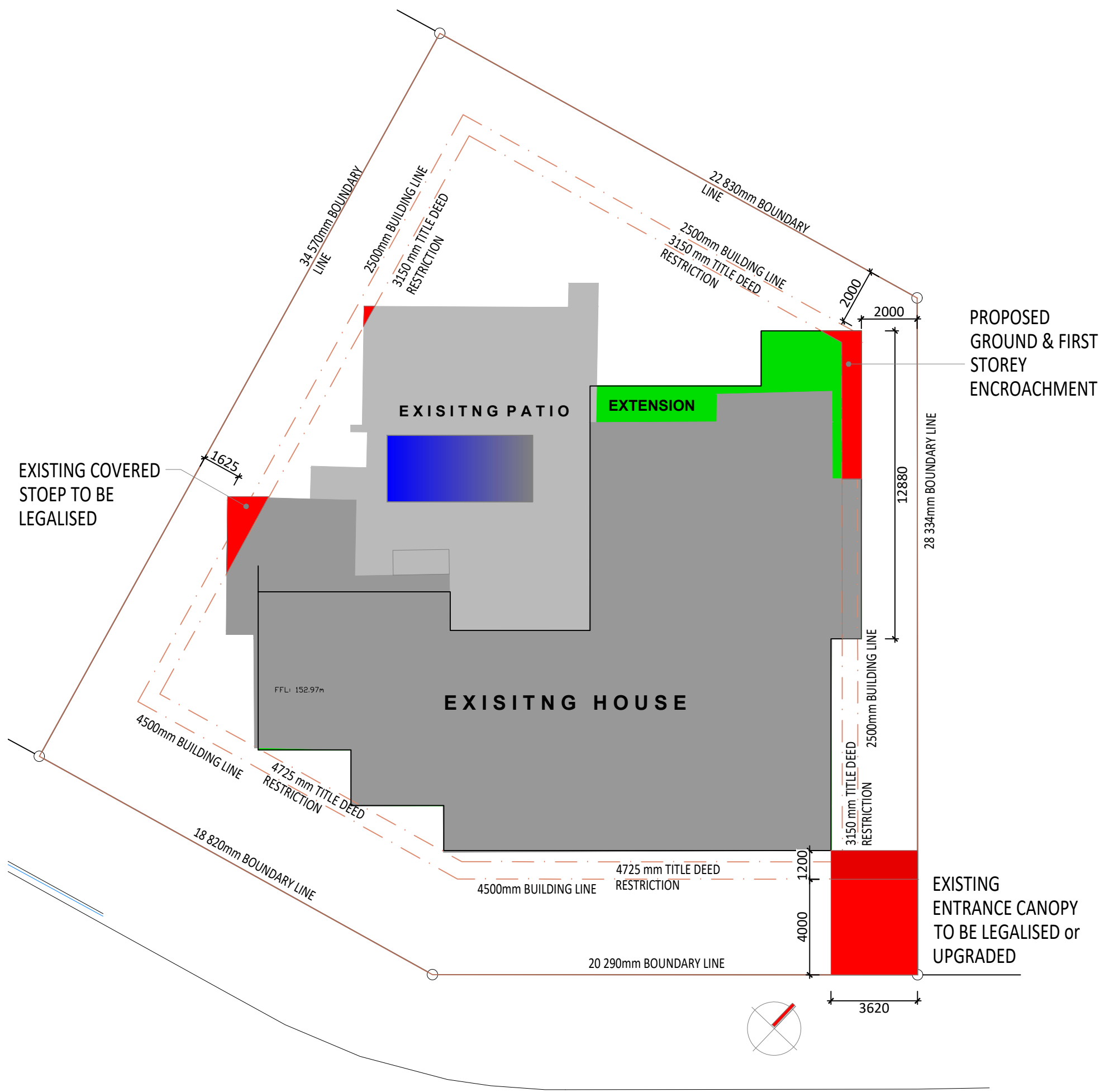
Die kommentaar moet binne 30 dae **(60 dae indien dit 'n staatsentiteit sal wees)** vanaf die datum van hierdie kennisgewing gestuur word en moet ontvang word voor of op die laaste dag van die sluitings datum van **(16 Augustus 2023 – 30 days/ 60days till 15 September 2023)**

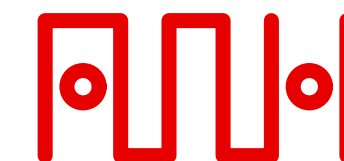
Daar moet kennis geneem word dat die Munisipaliteit, in terme van Artikel 50(5) van die vermelde Verordeninge, mag weier om enige kommentaar / beswaar te aanvaar wat na die sluitingsdatum ontvang word.

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 geskontak word vir bystand by die vermelde elektroniese pos adres of telefonies by (0848022222) gedurende normale kantoor ure.

Die uwe

Will Hammers





Will Hammers PrSArchT
sacap psat20556 saiat 33335
m.084.802222
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klant
client

Anton & Hanri Gerischer

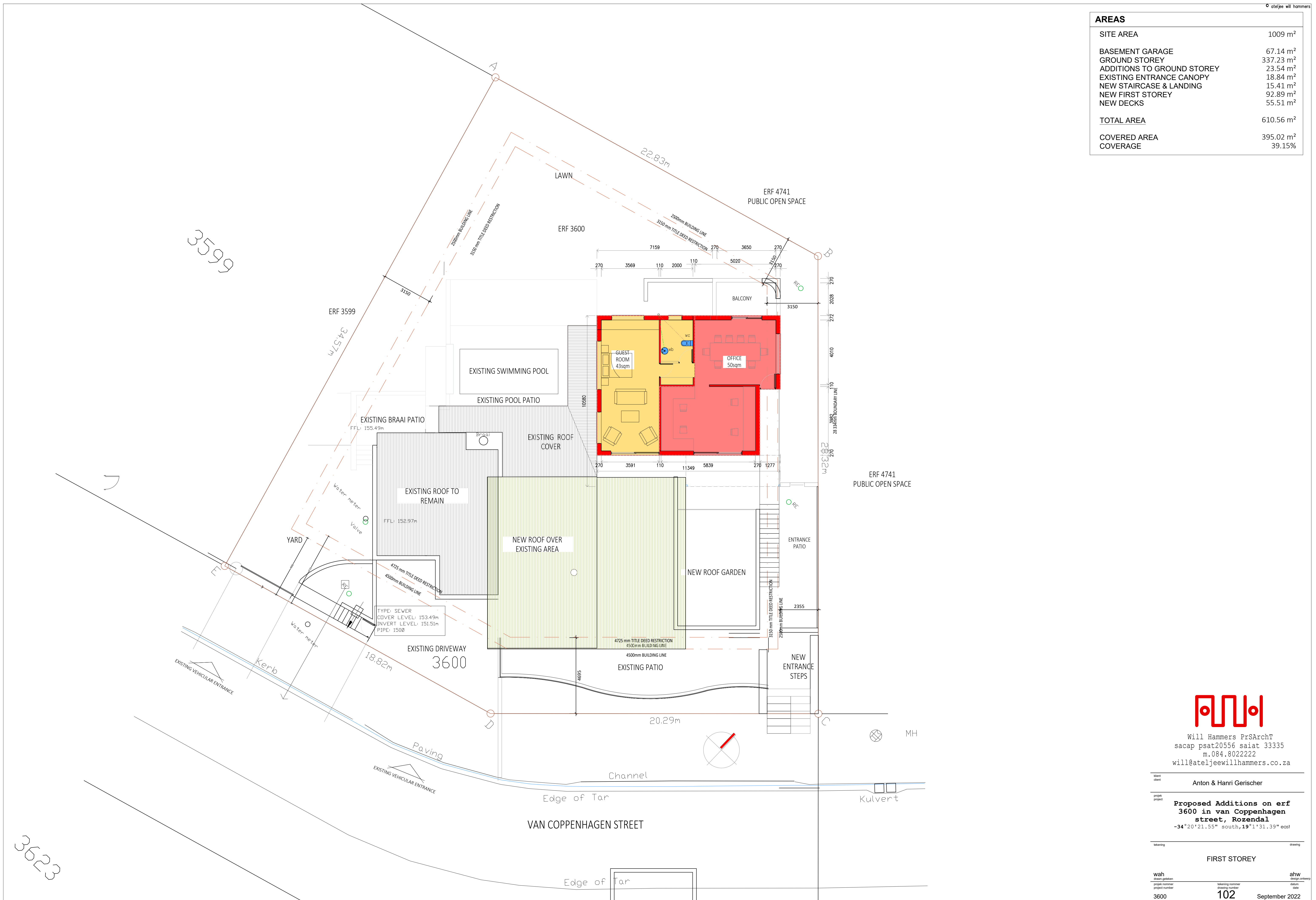
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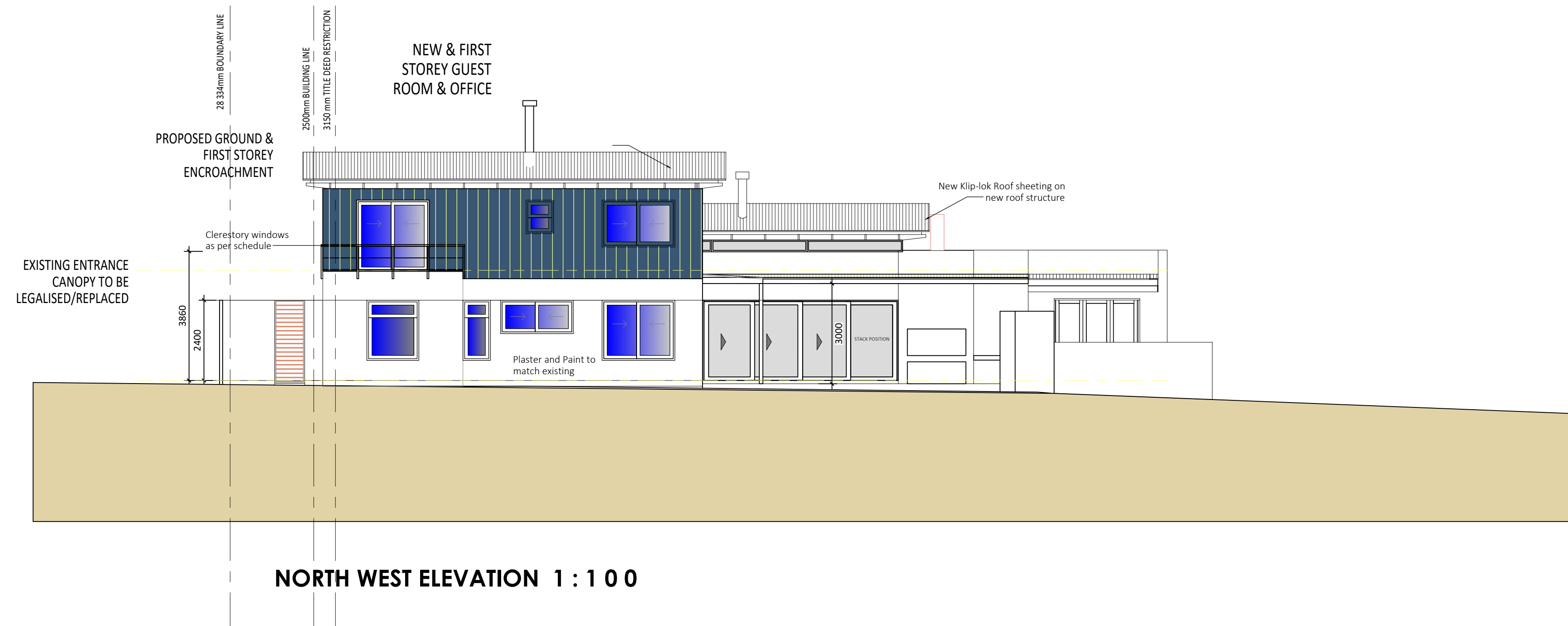
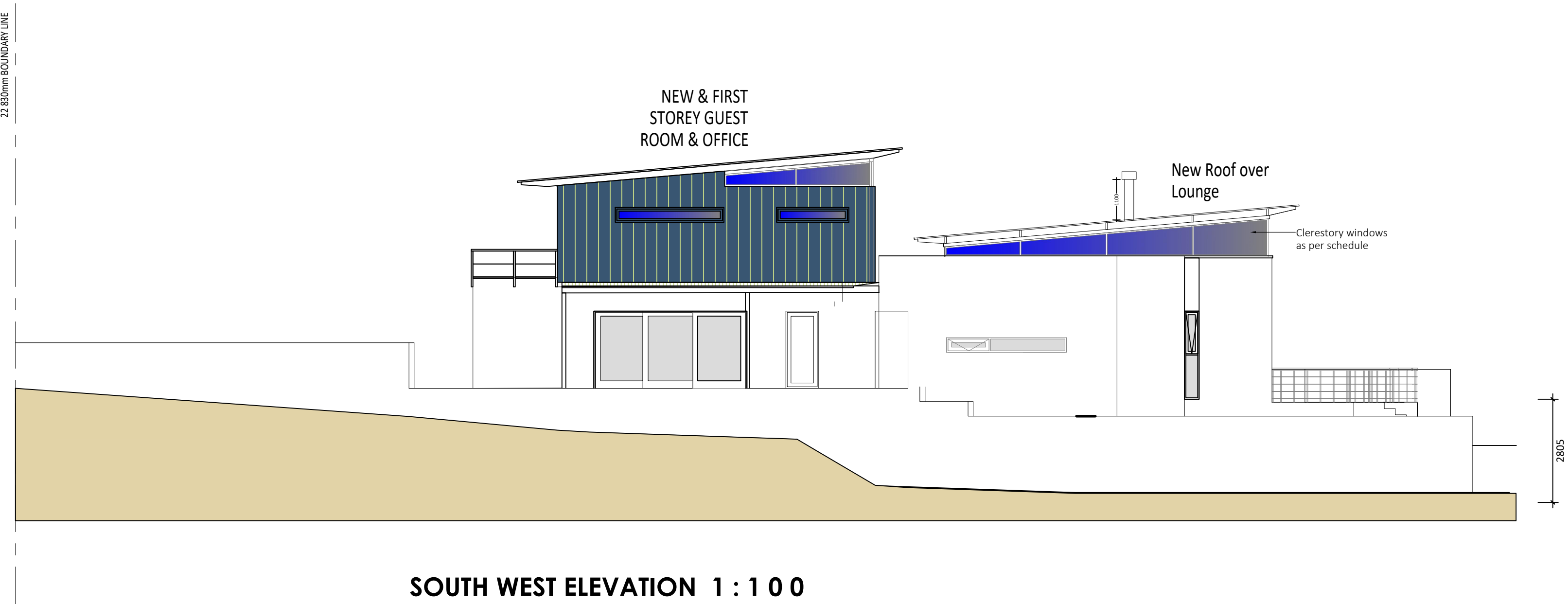
**Proposed Additions on erf
3600 in van Coppenhagen
street, Rozendal**
-34°20'21.55" south, 19°1'31.39" east

tekening	drawing
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GROUND STOREY

<p>wah drawn, geïkelen</p> <hr/> <p>projek nummer project number</p> <p>3600</p>	<p>tekening nommer drawing number</p> <p>101revB</p>	<p>ahw design, c</p> <hr/> <p>datum date</p> <p>September 2022</p>
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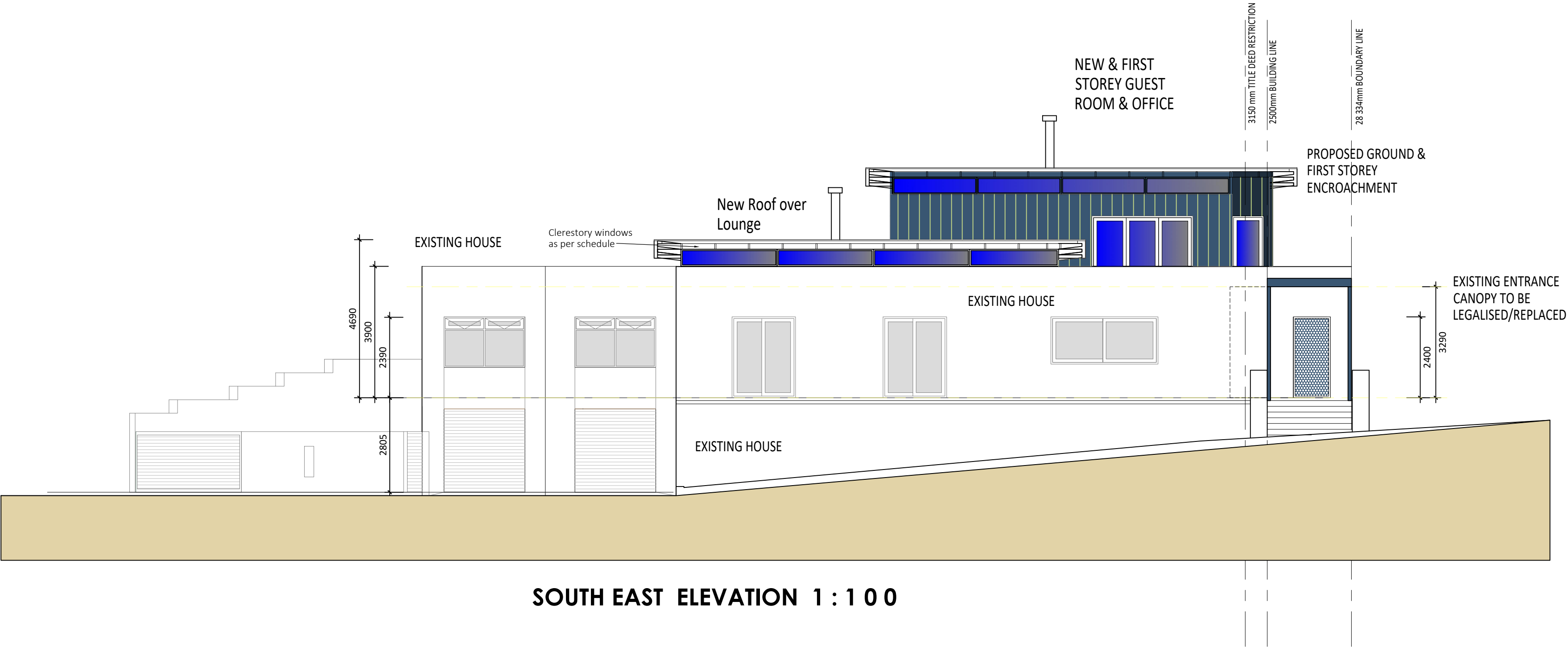
Client
Anton & Hanri Gerischer

Project
Proposed Additions on erf
3600 in van Coppenhagen
street, Rozendal
-34°20'21.55" south, 19°1'31.39" east

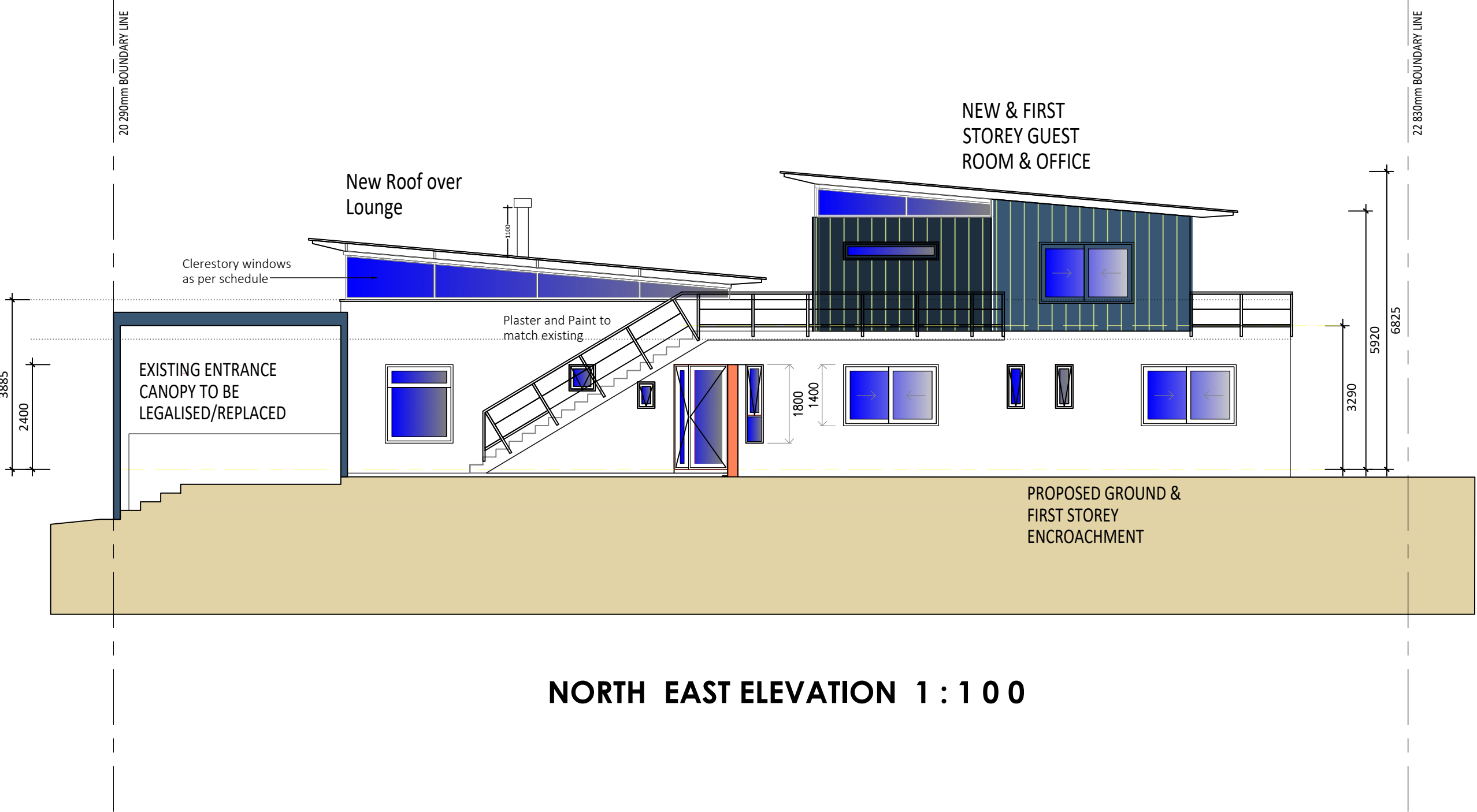
Issuing
drawing

ELEVATIONS

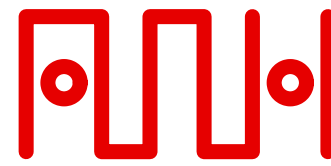
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project number	issuing number
3600	202
	September 2022



SOUTH EAST ELEVATION 1 : 1 0 0



NORTH EAST ELEVATION 1 : 1 0 0



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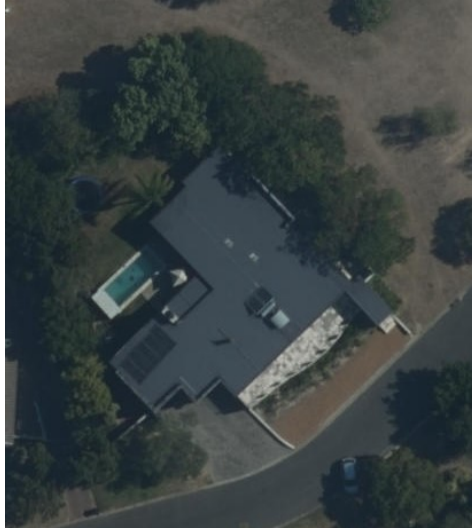
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Project
**Proposed Additions on erf
3600 in van Coppenhagen
street, Rozendal**
-34°20'21.55" south, 19°1'31.39" east

Issued
drawing

ELEVATIONS

wah drawn project number 3600	ahw design/ontwerp drawing number 201 date September 2022
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ERF 3600, STELLENBOSCH

**APPLICATION FOR A PERMANENT DEPARTURE, TITLE DEED RELAXATION AND
TECHNICAL APPROVAL**

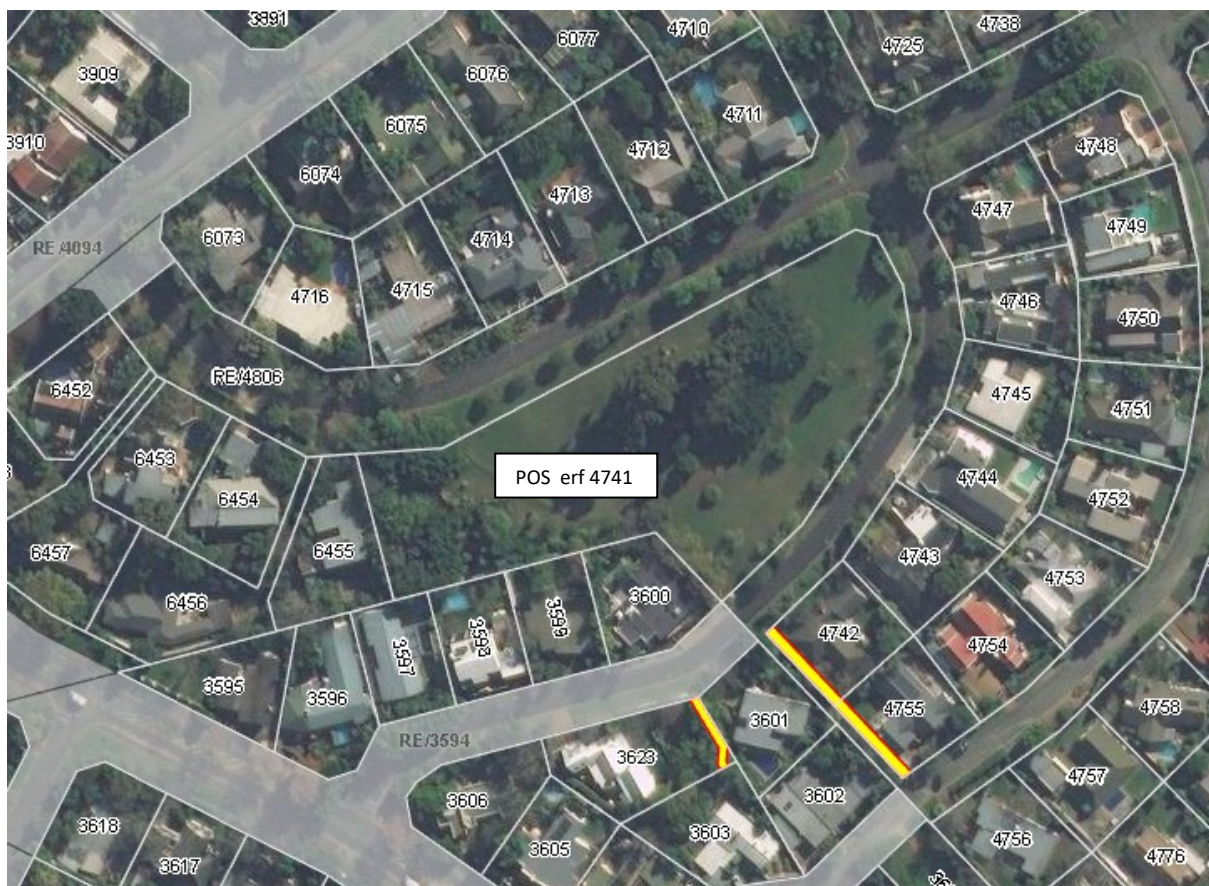


JUNE 20, 2022

Prepared by ATELJEE WILL HAMMERS, 98 Bloekom Avenue, Stellenbosch

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ANTON RUDOLF GERISCHER
ERF 3600, STELLENBOSCH
9 COPPENHAGEN ROAD, ROZENDAL

ERF: MOTIVATION FOR THE PROPOSED ALTERATIONS.

1. PROPERTY DETAILS

PROPERTY DESCRIPTION	Erf 3600, Stellenbosch
ADDRESS	9 Coppenhagen Road, Rozendal
EXTENT	1009m ²
ZONING	Conventional Residential Zone
LAND USE	Residential
APPLICANT	Will Hammers

2. PROPOSED APPLICATIONS:

- Application in terms of section s15(2)(b) of the Stellenbosch Municipality Zoning Scheme By-Law, 2019, for a Permanent Departure to relax:
 1. The common building line on the north and northwest boundaries (adjacent to Public Open Space Erf 4741) from 2.5m to 2m to allow for the proposed house extension on ground floor (to be aligned with a portion of the existing house already encroaching) and home occupational practice on the first floor up to a minimum of 2m from the boundary, and an entrance canopy (existing structure erected by previous owners) up to 0m from the boundary.
 2. The common building line on the west boundary (adjacent to Erf 3599) from 2.5m to 1.625m to allow for a covered sunroom (existing structure erected by previous owners)
 3. The street building line on the southeast boundary (opposite erven 3601 and 4742) from 4.5m to 0m to allow for an entrance canopy (existing structure erected by previous owners)
- Application in terms of the Stellenbosch Municipality Zoning Scheme By-Law, 2019, for the relaxation of the title deed common building line restriction (Restriction – B(4)(d) to relax:
 1. The common building line on the north and northwest boundaries (adjacent to Public Open Space Erf 4741) from 3.15m to 0m to allow for the proposed house extension on ground floor (to be aligned with a portion of the existing house already encroaching) and home occupational practice on the first floor up to a minimum of 2m from the boundary, and an entrance canopy (existing structure erected by previous owners) up to 0m from the boundary.
 2. The common building line on the west boundary (adjacent to Erf 3599) from 3.15m to 1.5m to allow for a covered stoep (existing structure erected by previous owners)
 3. The street building line on the southeast boundary (opposite erven 3601 and 4742) from 4.725m to 0m to allow for an entrance canopy (existing structure erected by previous owners)
- Application in terms of section 13 of the Stellenbosch Municipality Zoning Scheme By-Law, 2019, for technical approval of the proposed home occupation practice (graphic design office).



4. MOTIVATION

The owner wishes to further develop his property by extending the existing dwelling unit, with additional bedrooms, en-suites, an external staircase from the ground floor, as well as a first-floor level to accommodate the proposed home occupation office (graphic design) and a guest room. The proposed external staircase will allow the owner to have access to the office without having to enter through the existing main dwelling unit.

The proposed office and staircase will not have any significant impact on the rights of the surrounding property owner as the encroachment only borders a large public open space.

The proposal of the home extensions and office space will allow the owner to maximize the use of his property, by providing sufficient space for his children to have their private space, as well as allow the owner to work from home, without having to rent an office space.

The main reason for the proposed office space at home, is because the owner wishes to be closer to his family and still be able to work from home, which will be more economical for him, and allow him to spend more time with his family. The office space will be utilized as a work area for the owner, which can be converted into a flat in the future, for the children once they are older, allowing them to have their private space apart from the adults.

The proposal will not have a detrimental impact on the character of the area, as there are other double storeys within the area that has been approved by Council. Municipal services will not be affected by the proposal and the material which will be used to build the

structures, does not pose any threat to the health, safety, and wellbeing of the surrounding community.

The proposed relaxation of the By-Law and Title Deed restrictions is not regarded to have any negative impact relating to financial values, personal and social benefits of surrounding owners or the applicant. Retaining the restrictive conditions, would deprive the owner of utilizing a property in a prestige, prime located area to exploit it to its maximum potential. Reshaping the existing building with the home extensions and office set-up, would also boost the image of the built environment of the area.

The proposed additions of the property will temporarily create employment opportunity for various trades in development, such as architectures, engineers, project manager, builders, plumbers, up until the completion of the project. It will also create future employment opportunities where maintenance of the proposed structures is concerned.

5. SPATIAL PLANNING FRAMEWORKS AND POLICIES APPLICABLE TO THE PROPOSAL

a) Stellenbosch Municipal Land use Planning By-Law 2019

- Applicable parameters

Primary Uses	Additional Uses (not exceeding threshold in this chapter and subject to technical approval)	Consent Uses (application required)
<ul style="list-style-type: none"> Dwelling house 	<ul style="list-style-type: none"> Bed and breakfast establishment Home day care centre Home occupation practice Home lodging Second dwelling Occasional use (one event/year) Private road 	<ul style="list-style-type: none"> Commune Extramural facility Group housing Guest house House shop Occasional use (>one event/year) Tourist dwelling unit Additional uses exceeding parameters in this chapter

Area of land unit	Street boundary building lines (m)	Common boundary building lines (m)	Coverage	Height
Up to 250m ²	2m	1m (see 2(e) below)	70%	2 storeys
251m ² to 500m ²	3m	1m	The greater of 175m ² or 60%	2 storeys
501m ² to 1500m ²	4m	2,5m (see 2(c) below)	The greater of 300m ² or 50%	2 storeys
Greater than 1500m ²	4m	2,5m (see 2(c) below)	The greater of 750m ² or 40%	2 storeys

- (16) For a home occupation practice in this zone, the following further parameters shall apply together with the provisions in subsections (1) to (13):
- (a) the activity should be of such a limited nature that the operator shall employ no more than two persons;
 - (b) the hours of operation shall be limited to between 07:30 to 18:00 Mondays to Saturdays;
 - (c) the maximum floor area for a home occupation practice (including storage) shall be no more than 30% of the floor area of the buildings on the land unit up to a maximum of 50m².

b) Section 59 of the Land-Use Planning Act (Act 4 of 2013), as well as Section 7 of SPLUMA (Act 16 of 2013):

The two documents stated above, contain a number Land-Use Planning, as well as Land Development principles, regulating development of land under consideration.

- **These principles are:**

- Spatial sustainability - promoting the development of land in a feasible and viable way.
- Principle of efficiency - dealing with effective and economical use of land and resources
- Good Administration - involving all government entities for an integrated approach to the use of land.
- Spatial resilience - refers to flexibility in spatial plans and land-use policies, resulting in maximising the exploitation of the potential of a property.

c) Provincial Spatial Development Framework (PSDF)

- The Provincial Spatial Development Framework (PSDF) and the supporting and complementary regional spatial development framework as contemplated in Section 18 of the Spatial Planning and Land Use Management Act, 2013 determine principles and the planning and development norms and criteria for historic and cultural related uses in the area. Nothing proposed herein contradicts any of the said principles or guidelines.

6. IMPACT ON MUNICIPAL SERVICES INFRASTRUCTURE

- The proposed additions will be connected and make use of the existing municipal infrastructure/services located on site.

- The local electricity network has sufficient capacity to provide for the additions, that some upgrading would be required to the connection.
- Water and sewerage capacity is sufficient, as the average daily demand for the proposed office and home extensions will be in line with the existing dwelling. The connections to municipal services could be retained as is.
- Solid waste is removed by the Municipality, which service will continue with insignificant increase in volume.
- The existing driveway/carriageway crossing will be utilized, as per normal and there is adequate parking space available on site.

7. CONCLUSION

The proposed development is considered to be consistent with good urban development and management as the layout design were well thought through, considered all the factors surrounding the property and respected the topography of the site before any decisions were made. The proposed building will result in the optimal utilization of the property, considering the character of the area, - and surrounding land uses. With this in mind, it is envisaged that Council will favourably consider the application.

