



STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

Application Number: LU/16000(TP359/2023)

Our File Reference Number: Erf 11904, Stellenbosch

Your Reference Number:

Enquiries: Ulrich von Molendorff

Contact No: 021 – 808 8682

Email address: Ulrich.Vonmolendorff@stellenbosch.gov.za

PER E-MAIL [REDACTED]

Sir / Madam

APPLICATION FOR A CONSENT USE ON ERF 11904, STELLENBOSCH

1. The above application refers.

2. The duly authorised decision maker has decided on the above application as follows:

2.1 That the application for a consent use in terms of Section 15(2)(o) of the Stellenbosch Municipality By-law on Municipal Land Use Planning 2023, in order to use an existing dwelling house as a three (3) bedroom commune, on Erf 11904, Stellenbosch

BE APPROVED in terms of Section 60 of the said Bylaw and subject to conditions of approval.

2.2 The approval is subject to the following **conditions** imposed in terms of Section 66 of the said Bylaw:

2.3 The approval only applies to the proposed applications under consideration and shall not be construed as authority to depart from any other legal prescriptions or requirements from Council or other legislation or Bylaws or Regulations that may be applicable.

2.4 The approval granted shall not exempt the applicant from complying with any other legal prescriptions or requirements that might have a bearing on the proposed use.

2.5 The establishment may not cause public nuisance (traffic & noise) to the adjacent and adjoining property owners.

2.6 The number of bedrooms available to boarders be restricted to 3 bedrooms and the number of boarders may not exceed 3 individuals.

3. The **reasons** for the above decision are as follows:

3.1. The number of boarders (3) is the same, or even less than the number of members that usually form part of a single family. The potential negative impacts that the combined activities of 3 boarders may have on surrounding property owners are comparable to that of the combined activities of a single family.

3.2. Sufficient off-street parking is provided, and engineering services are unaffected due to the limited number of people that occupy the dwelling house.

3.3. Mitigation measures provided by the applicant to reduce nuisance and noise are sufficient.

4. Matters to be **noted**:

4.1 The authorised official of the Municipality will, after following due process exercise his/her discretion in terms of Section 90(c) of the Stellenbosch Municipal By-law on Land Use Planning to withdraw the subject consent approval granted and revert the use of the property to its original use as a family residence should the following be the case; -

4.1.1 The subject approval for the commune remains in breach of complying with any of the conditions of approval, and/ Or

4.1.2 The operational use of the commune be in breach of any of the conditions of approval or becomes a nuisance to any neighbouring property, and/ or

4.1.3 The parking is not restricted to the property and is a nuisance or safety hazard, and/ or

4.1.4 The commune be used for any unauthorised uses not permitted in terms of this approval.

5. You are hereby informed in terms of section 79(2) of the Stellenbosch Municipal Land Use Planning Bylaw 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 by completing the required form 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.

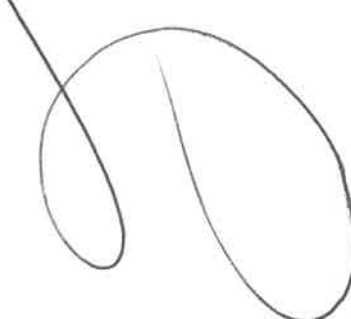
7. **Appeals must be addressed to the Municipal Manager and submitted to his/ her designated official by means of e-mail at the following address: landuse.appeals@ Stellenbosch.gov.za**

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 appeal form and approved tariff structure and the banking details for the General Account can be accessed and viewed on the municipal website. For any enquiries the office can be contacted at landuse.appeals@ Stellenbosch.gov.za or 021- 808 8684.
10. An applicant who lodges 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 in the case of any approval, is suspended, and 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



29/11/2024

DATE

Copies:

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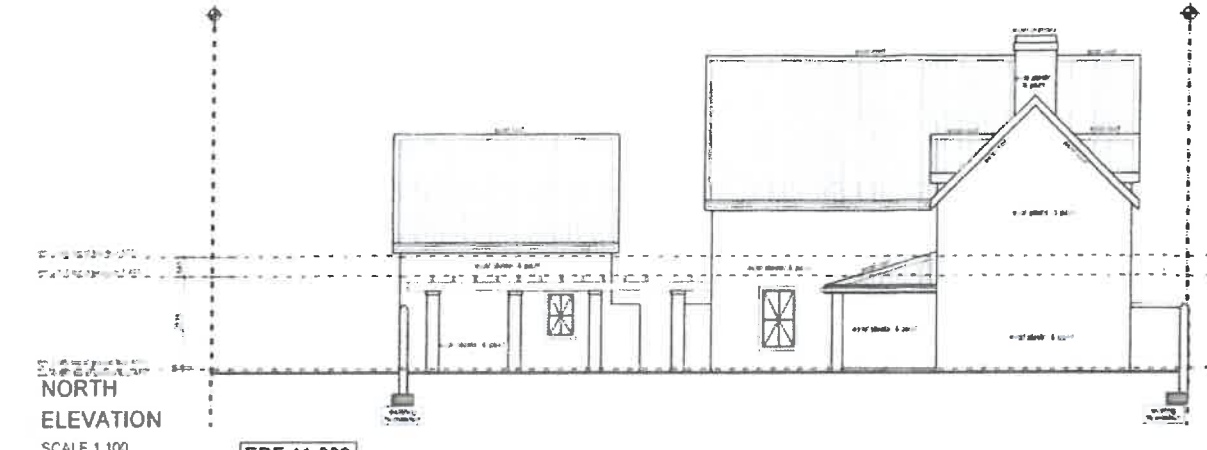
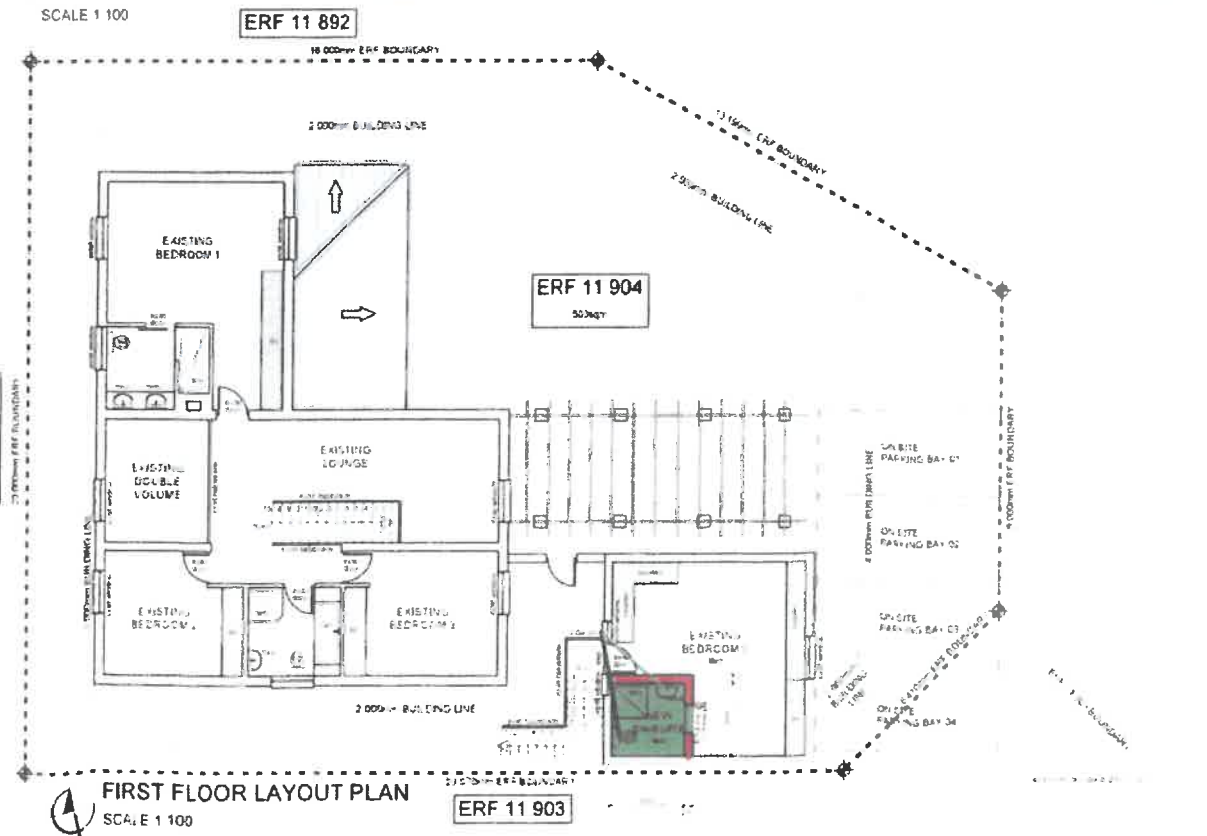
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ANNEXURE A

SITE PLANS

WEST
ELEVATION
BEDROOM 5
SCALE 1/100



A		Doc. and her GUMMELSON		TB		2022.11.26	
APP		doc. and her GUMMELSON		APP		GUMMELSON	
SUBMISSION							
<p>PROPOSED INTERNAL ADDITION for BRENDON RAW FAMILY TRUST</p>							
<p>ERF 11 B&L DIE BOORC STELLENBOORN</p>							
							
TUSK		23.28					
<p>ARCHITECTURE</p>							
<p>SITE, GROUND FLOOR, FIRST FLOOR LAYOUT PLANS & ELEVATIONS</p>							
Arch		1 160		2022.11.26			
drawings		h. ph.		date			
TG		TG		AM			
drawings		drawings		drawings			
BRFT/22		200		A			