STELLENBOSCH
STELLENBOSCH • PNIEL • FRANSCHHOEK
MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

Application Number: LU/15088 (TP103/2022)
Our File Reference Number: Erf 14946, 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 CONSENT USE AND DEPARTURE ON ERF 14946, 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 the Stellenbosch Municipality By-Law on Municipal Land Use Planning 2023:

2.1.1 For a consent use in terms of Section 15(2)(o) in order to use an existing dwelling house as a three (3) bedroom commune on Erf 14946, Stellenbosch;

2.1.2 A departure in terms of Section 15(2)(b) for the under provision in order to provide two (2) on-site parking bay in lieu of three (3) parking bays on Erf 14946, Stellenbosch.

BE APPROVED in terms of Section 60 of the said Bylaw and subject to conditions of approval in terms of Section 66 of the said Bylaw.

2.2 Conditions of approval:

2.2.1 The approval applies only to the application under consideration and is indicated on the referenced Plan with drawing No. A.01.1, dated May 2011 attached as Annexure C 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.

2.2.2 The development must be undertaken in accordance with the referenced Plan with drawing No. A.01.1, dated May 2011 attached as **Annexure C.**

2.2.3 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.

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

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

2.2.6 Parking for the proposed land use must be provided within the existing single garage, the patio in front of the existing garage and on the road reserve in front of this property as indicated on figure 1 of **Annexure G**.

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 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 boarders that occupy the dwelling house.

3.3 The subject land use and land development application consequently grounds for the support of the subject land use and land development application.

3.4 The proposal is supported by the Welgevonden HOA.

4. 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.

5. 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.

6. **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**

7. 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.

8. 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.

9. 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.

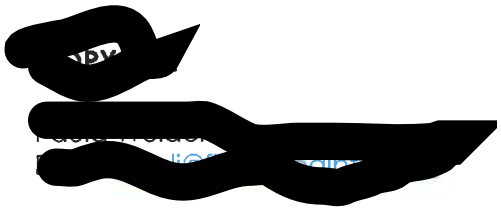
10. Kindly note that no appeal right exists in terms of Section 62 of the Local Government Municipal Systems Act, No 32 of 2000.

11. 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.

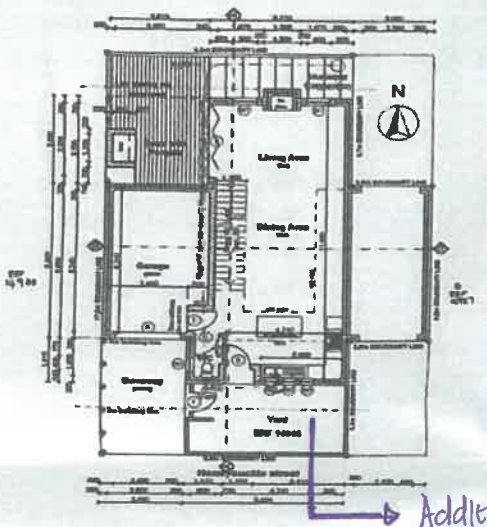
Yours faithfully

FOR DIRECTOR: PLANNING AND ECONOMIC DEVELOPMENT

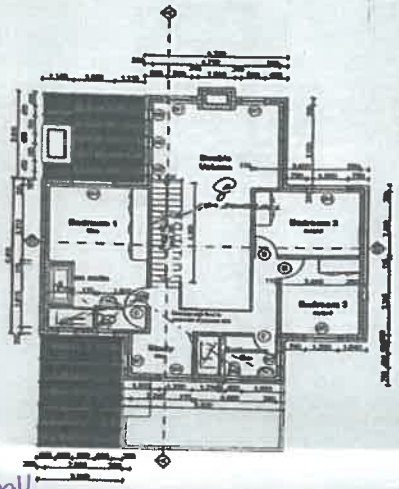
DATE 17/7/2024



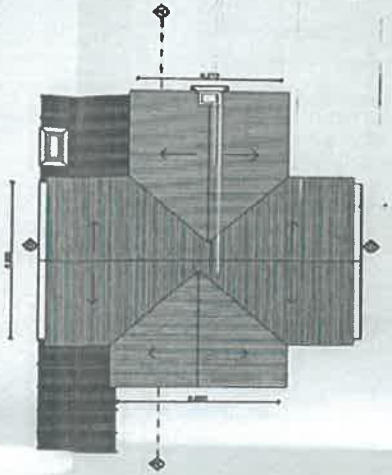
Annexure C:
Building plan



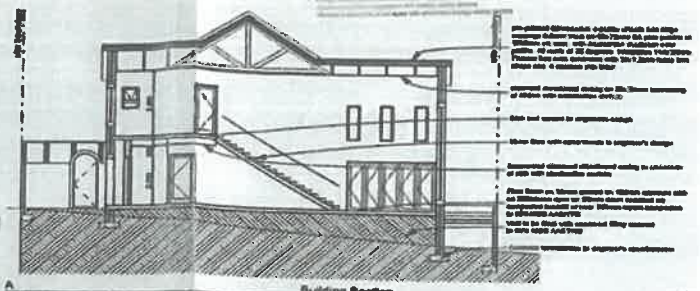
0 Ground Floor 1:100



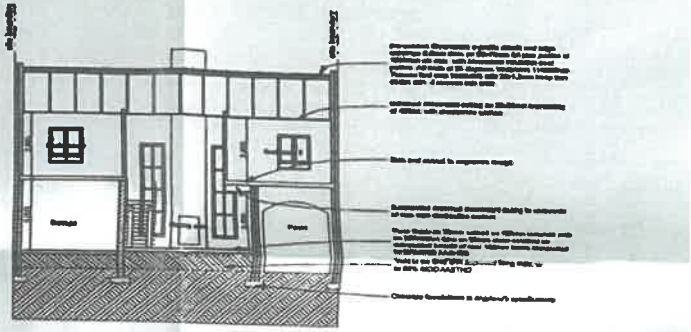
1 First Floor 1:100



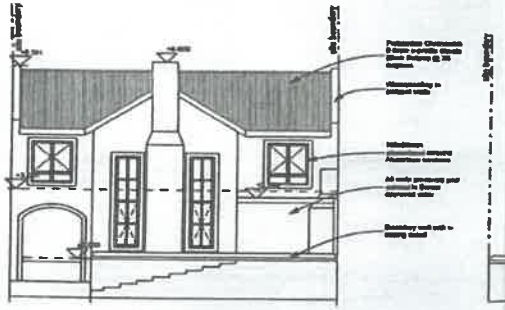
2 Roof 1:100



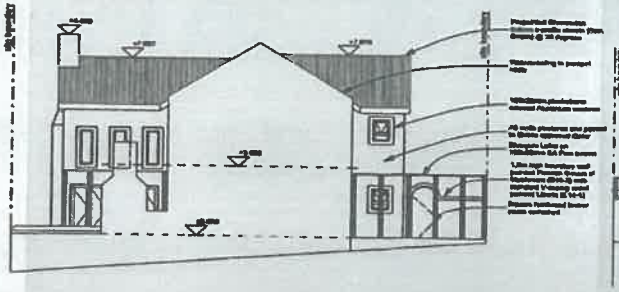
A Building Section 1:100



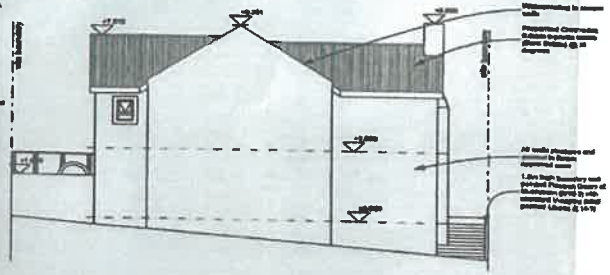
B Building Section 1:100



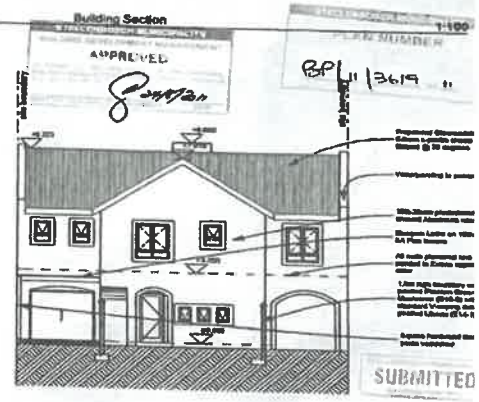
E-01 Elevation 1:100



E-02 Elevation 1:100



E-04 Elevation 1:100



E-03 Elevation

REVISIONS

Rev	Date	Description	Drawn by	Checked

NOTES

DRAWING STATUS — ISSUE DATE

FOR INFORMATION
FOR APPROVAL
FOR CONSENT
FOR COSTING
FOR CONSTRUCTION
AS BUILT
OTHER

SITE: 175m²
GROUND FLOOR: 93m²
FIRST FLOOR: 74m²

COVERAGE: 52%

WELGEVOEGDEN ESTETISCHE ADVIESCOMMISSIE

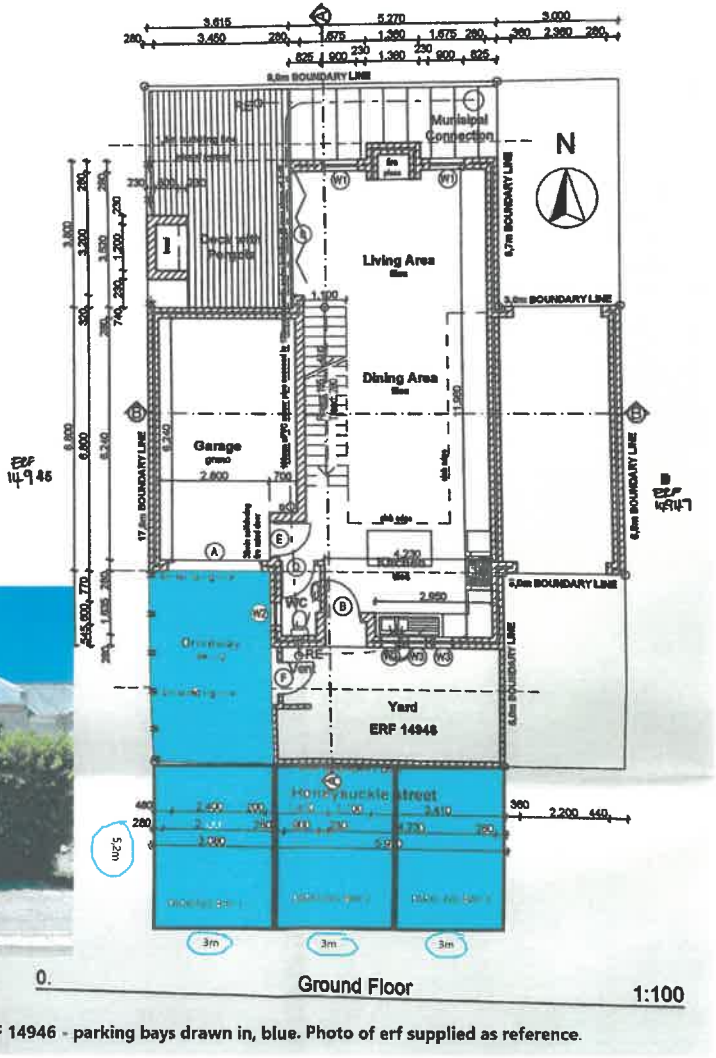
blue architecture

[redacted]

May 2011 7/12/2011

1002/1
A.01.1

1:100



ERF 14946 - parking bays drawn in, blue. Photo of erf supplied as reference.

PARKING PLAN. NO. 14946_STB
DATE: MAY 2024

Annexure G:

Site inspection photos

Figure 1: Front view of the existing dwelling to be used as a commune. The current on-site parking arrangement, which is the single garage and patio in front of it.

Figure 2: A view of the third parking bay where the white car is parked partly on and off-site.

Figure 3: A closer view of the single garage and patio used for parking purposes.

Figure 4: Evidence that road reserves/pavements are already being used to accommodate the additional parking demand or excess vehicles in Welgevonden.