

NOTICE OF LAND DEVELOPMENT APPLICATION

Affected person's Name

Affected persons Physical Address

Affected person's Title:

**APPLICATION FOR REMOVAL OF RESTRICTIVE TITLE DEED CONDITIONS AND AN
ADDITIONAL USE TO PERMIT A SECOND DWELLING ON A SINGLE RESIDENTIAL PROPERTY**

ERF 3072 STELLENBOSCH (19 MARTIN STREET, IDAS VALLEY))

Application Property Address: **19 Martin Street, Idas Valley**

Application Property Number: **Erf 307 Stellenbosch**

Applicant: **Christine Havenga & Associates, e-mail address:
christine.havenga@absamail.co.za, tel nr 073 1951 040**

Owner: **Carlike Carol-Dene September (tel 073 1951 040)**

Application Reference: **LU/17003(TP708/2024)**

Description of land development proposal:

The following land use application in terms of the Stellenbosch Land Use Planning Bylaw, 2023 refers:

1. Application in terms of section 15(2)(f) of the Stellenbosch Municipality By-Law on Municipal Land Use Planning, 2023 to remove the following restrictive title deed condition on Erf 3072, Stellenbosch to permit the construction of a second dwelling.

"- clause B.(5)(b) of T15098/2015: it shall be used only for the purpose of erecting thereon one dwelling together with such outbuildings as are ordinarily required to be used therewith."

2. Application in terms of section 15(2)(f) of the Stellenbosch Municipality By-Law on Municipal Land Use Planning, 2023 to relax the following restrictive title deed condition on Erf 3072, Stellenbosch to increase the permitted coverage from 50% to 55%.

"- clause B.(5)(c) of T15098/2015: not more than half the area thereof shall be built upon."

3. Application in terms of section 15(2)(f) of the Stellenbosch Municipality By-Law on Municipal Land Use Planning, 2023 to relax the following restrictive title deed condition on Erf 3072, Stellenbosch to permit the second dwelling to be 1.5m in lieu of 3.048m (10 feet) from the rear boundary.

"- clause B.(5)(d) of T15098/2015: no building or structure or any portion thereof, except boundary walls and fences, shall ".be erected nearer than 15 feet to the street line which forms a boundary of this erf, nor within 10 feet of the rear or 4 feet of the lateral boundary common to any adjoining erf. On consolidation of any two or more erven this condition shall apply to the consolidated area as one erf."

4. Application in terms of section 15(2)(g) of the Stellenbosch Municipality By-Law on Municipal Land Use Planning, 2023 for additional use (technical approval) to permit a second dwelling unit in terms of Section 13 of the Stellenbosch Zoning By-law on Erf 3072, Stellenbosch.

Notice is hereby given in terms of the provisions 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 undeneath:
<https://www.stellenbosch.gov.za/planning/documents/planning-notice/land-use-applications-advertisements>. If the website or documents cannot be accessed, an electronic copy of the application must 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. Written comment, which must include the

reference to the application, the name, contact details and physical address of the person to submit the comments, the reasons for the comments, and the interest of the person who submits the comment in the application, may be submitted to the Applicant by electronic mail as follows: **(Christine Havenga & Associates, christine.havenga@absamail.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 12 August 2024.

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 **(tel 073 1951 040)** during normal office hours.

Yours faithfully

A handwritten signature in grey ink that reads "CHavenga". The signature is written in a cursive, flowing style.

Christine Havenga
CHRISTINE HAVENGA & ASSOCIATES

SUMMARY OF APPLICATION

The intention is to erect a Second Dwelling Unit on Erf 3072 Stellenbosch (19 Martin Street, Idas Valley). The Conventional Residential zoning of the property allows for a Second Dwelling Unit as an Additional Use subject to certain provisions prescribed in the Stellenbosch Zoning Scheme, however, restrictive title deed conditions currently prohibit the proposed Second Dwelling Unit. The Title Deed also restricts the built upon area to half of the site and there are more restrictive building line restrictions. The application is thus to motivate the second dwelling unit and the removal of the restrictive title deed conditions.



Figure 1: Locality: Erf 3072 Stellenbosch – demarcated in red

KENNISGEWING VAN GRONDONTWIKKELINGS AANSOEK

Naam van geaffekteerde persoon

Fisiese adres van geaffekteerde persoon

Titel van geaffekteerde persoon:

**AANSOEK VIR DIE OPHEFFING VAN BEPERKENDE TITELVOORWAARDES EN `N
ADDISIONELE GEBRUIK OM `N TWEDE WOONEENHEID OP `N ENKEL RESIDENSIËLE ERF
TOE TE LAAT**

ERF 3072 STELLENBOSCH (19 MARTINSTRAAT, IDAS VALLEY))

Adres van aansoek eiendom: **19 Martinstraat, Idas Valley**

Aansoek eiendom beskrywing: **Erf 307 Stellenbosch**

Aansoeker: **Christine Havenga & Associates, e-mail address:
christine.havenga@absamail.co.za, tel nr 073 1951 040**

Eienaar: **Carike Carol-Dene September (tel 073 1951 040)**

Aansoek Verwysing: **LU/17003(TP708/2024)**

Besonderhede van die grondgebruiksaansoek

**Die volgende aansoek ingevolge die Stellenbosch Munisipaliteit:
Grondgebruikbeplanning Verordening, 2023**

1. Aansoek in terme van artikel 15(2)(f) van die Stellenbosch Munisipaliteit
Grondgebruikbeplanning Verordening, 2023 vir die opheffing van die volgende

beperkende titelvoorwaarde van toepassing op Erf 3072, Stellenbosch om die konstruksie van `n tweede wooneenheid toe te laat.

"- clause B.(5)(b) of T15098/2015: it shall be used only for the purpose of erecting thereon one dwelling together with such outbuildings as are ordinarily required to be used therewith."

2. Aansoek in terme van artikel 15(2)(f) van die Stellenbosch Munisipaliteit Grondgebruikbeplanning Verordening, 2023 vir die verslapping van die volgende beperkende titelvoorwaarde van toepassing op Erf 3072, Stellenbosch om die toegelate dekking te vermeerder vanaf 50% tot 55%.

"- clause B.(5)(c) of T15098/2015: not more than half the area thereof shall be built upon."

3. Aansoek in terme van artikel 15(2)(f) van die Stellenbosch Munisipaliteit Grondgebruikbeplanning Verordening, 2023 vir die verslapping van die volgende beperkende titelvoorwaarde van toepassing op Erf 3072, Stellenbosch om die tweede wooneenheid 1,5m in plaas van 3.048m (10 voet) van die agtergrens toe te laat.

"- clause B.(5)(d) of T15098/2015: no building or structure or any portion thereof, except boundary walls and fences, shall ".be erected nearer than 15 feet to the street line which forms a boundary of this erf, nor within 10 feet of the rear or 4 feet of the lateral boundary common to any adjoining erf. On consolidation of any two or more erven this condition shall apply to the consolidated area as one erf."

4. Aansoek in terme van artikel 15(2)(g) van die Stellenbosch Munisipaliteit Grondgebruikbeplanning Verordening, 2023 vir `n addisionele gebruik (tegniese goedkeuring) om `n tweede wooneenheid in terme van Artikel 13 van die Stellenbosch Soneringskema op Er 3072 Stellenbosch toe te laat.

Kennis word hiermee gegee in terme van die voorskrifte 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 tydspan van die publieke deelname proses by die volgende adres op die volgende bladsy:

<https://www.stellenbosch.gov.za/planning/documents/planning-notices/land-use-applications-advertisements>. Indien die webtuiste of tersaaklike dokumente nie toeganklik is nie, moet 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. Skriftelike kommentaar, wat besonderhede ten opsigte van die verwysings nommer van die aansoek, die name, fisiese adres en kontak besonderhede van die persoon wat die kommentaar lewer, die redes vir die kommentaar, en die belang van die persoon wat die kommentaar lewer in die aansoek, by die Aansoeker ingedien word by wyse van elektroniese pos as volg: **(Christine Havenga & Associates, christine.havenga@absamail.co.za)**. Deur 'n beswaar, kommentaar of verhoë 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 vanaf die datum van hierdie kennisgewing gestuur word en moet ontvang word voor of op die laaste dag van die sluitings datum van **12 Augustus 2024**.

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 **(Selnommer 073 1951 040)** gedurende normale kantoor ure.

Die uwe

Yours faithfully



Christine Havenga
CHRISTINE HAVENGA & ASSOCIATES

OPSOMMING VAN AANSOEK

Daar word beoog om 'n Tweede Wooneenheid op Erf 3072 Stellenbosch (Martinstraat 19, Idasvallei) op te rig. Die Konvensionele Residensiële sonering van die eiendom maak voorsiening vir 'n tweede wooneenheid as bykomende gebruik onderhewig aan sekere bepalinge wat in die Stellenbosch-Soneringskema voorgeskryf word, maar beperkende titelaktevoorwaardes verbied tans die voorgestelde Tweede Wooneenheid. Die titelakte beperk ook die geboude oppervlakte tot die helfte van die terrein en daar is meer beperkende boulynbepelings. Die aansoek is dus om die tweede wooneenheid en die verwydering van die beperkende titelaktevoorwaardes te motiveer.



Figuur1: ***Liggingsplan: Erf 3072 Stellenbosch – erf omlyn in rooi***

