



Application Number: LU/15298

Our File Reference Number: Erf 2382, 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

APPLICATION FOR REMOVAL OF RESTRICTIVE TITLE DEED CONDITIONS, PERMISSION IN TERMS OF THE ZONING SCHEME BY-LAW AND DEPARTURES ON ERF 2382, 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(s) in terms of Section 15(2) of the Stellenbosch Municipal Land Use Planning By-law on Erf 2382, Stellenbosch, namely;
 - 2.2 Application in terms of Section 15(2)(f) of the said By-law for the removal of restrictive title deed conditions Clauses B.IV(2), (3) & (4), Clause B.VI(5), and Clauses B.VII(1) & (5) as contained in Deed of Transfer No. T25430/2020 to permit the existing building and existing extensions thereof,
 - 2.3 Application in terms of Section 15(2)(g) of the said By-law for permission in terms of Section 78(2) of the Stellenbosch Zoning By-law to allow for an erf less than 1000m² to be used in line with the land use rights of the Multi-Unit Residential Zone (hostel),
 - 2.4 Application in terms of Section 15(2)(b) of the said By-law for permanent departure to permit the relaxation of the following common building lines to accommodate existing extensions to the building:
 - a) 0m and 2.9m in lieu of 4.6m adjacent to Erf 2380 (ground floor),
 - b) 4.2m in lieu of 4.6m adjacent to Erf 2384 (ground floor),
 - c) 2.5m in lieu of 4.5m adjacent to Erf 2380 (first floor)

2.4 Application in terms of Section 15(2)(b) of the By-law for permanent departure for the under provision of parking bays to permit 8 parking bays in lieu of the required 10 parking bays,

BE APPROVED in terms of Section 60 of the said By-law and subject to conditions of approval.

3. The approval is subject to the following **conditions** imposed in terms of Section 66 of the said By-law:

- 3.1 The approval only applies to the applications under consideration and shall not be construed as authority to depart from any other legal prescriptions or requirements from the Municipality or other legislation or By-laws or Regulations that may be applicable.
- 3.2 The development must be undertaken generally in accordance with the referenced Ground Floor Plan with Sheet No. A002, First Floor Plan with Sheet No. A003, and Roof Plan with Sheet No. A001, all with Project No. 2223, Rev. R1 dated 2023.10.20 and a drawn by R.chitect Studio, attached as **Annexure B**.
- 3.3 The approval granted shall not exempt the applicant from complying with any other legal prescriptions or requirements that might have a bearing on the use.
- 3.4 The hostel is restricted to the existing buildings with a maximum number of ten (10) bedrooms used for the accommodation of boarders.
- 3.5 The visual impact of the parking area must be softened with appropriate landscaping treatment of the Hospital Street interface of the property. Proposals must be presented for consideration and approval by the Municipality with the submission of the building plan application.
- 3.6 Building plans must be generally in accordance with the referenced Ground Floor Plan with Sheet No. A002, First Floor Plan with Sheet No. A003, and Roof Plan with Sheet No. A001, all with Project No. 2223, Rev. R1 dated 2023.10.20 and a drawn by R.chitect Studio, attached as **Annexure B**.
- 3.7 Building plans must be submitted for all work, as well as changes of use of the existing buildings / structures and which building plan(s) must be approved and related occupancy certificates be issued prior to the vesting of any of the related approvals.
- 3.8 The conditions imposed by the Directorate: Infrastructure Services (Civil) as contained in their memorandum dated 07/06/2024, attached as **Annexure E**, be complied with.
- 3.9 Development contributions are payable in accordance with the prevailing and applicable Council Tariffs at the time of payment prior to the submission of any building plans, or as may be agreed on in writing with the Director Infrastructure Services.
- 3.10 The conditions imposed by the Directorate: Infrastructure Services (Electrical) as contained in their comment dated 29/02/2024, attached as **Annexure E**, be complied with.

4. The reasons for the above decision are as follow:

- 4.1 No alterations to the existing building are proposed and the proposed land use is not out of character with the surrounding land uses which include existing flats and hostels / communes.
- 4.2 The property's proximity to university buildings makes it an ideal accommodation option for students not owning a vehicle and it is expected that the demand for parking will therefore be less. Sufficient onsite parking can however be provided in the form of tandem parking should it be required.
- 4.3 The relaxation of the applicable building lines will not undermine, or be detrimental to the character of the surrounding residential area

5. Matters to be noted:

- 5.1 The applicant, after publication of a notice in Provincial Gazette to apply to the Registrar of Deeds to make appropriate entries in, and endorsements on, any relevant register or title deed to reflect the removal of the restrictive conditions.

6. 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.

7. 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.

8. 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

9. 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.

10. 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.

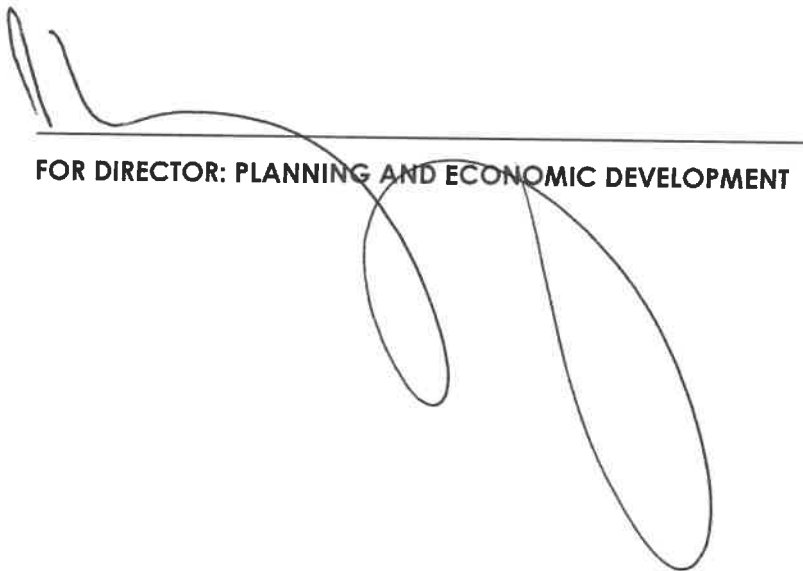
11. An applicant who lodges an appeal must also adhere to the following requirements stipulated in terms of section 80(3) to (7) of the said By-law:

- (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.

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

13. 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



A large, stylized handwritten signature in black ink, consisting of several loops and a long horizontal stroke, is written over a solid horizontal line.

FOR DIRECTOR: PLANNING AND ECONOMIC DEVELOPMENT

16/8/2021
DATE



STELLENBOSCH
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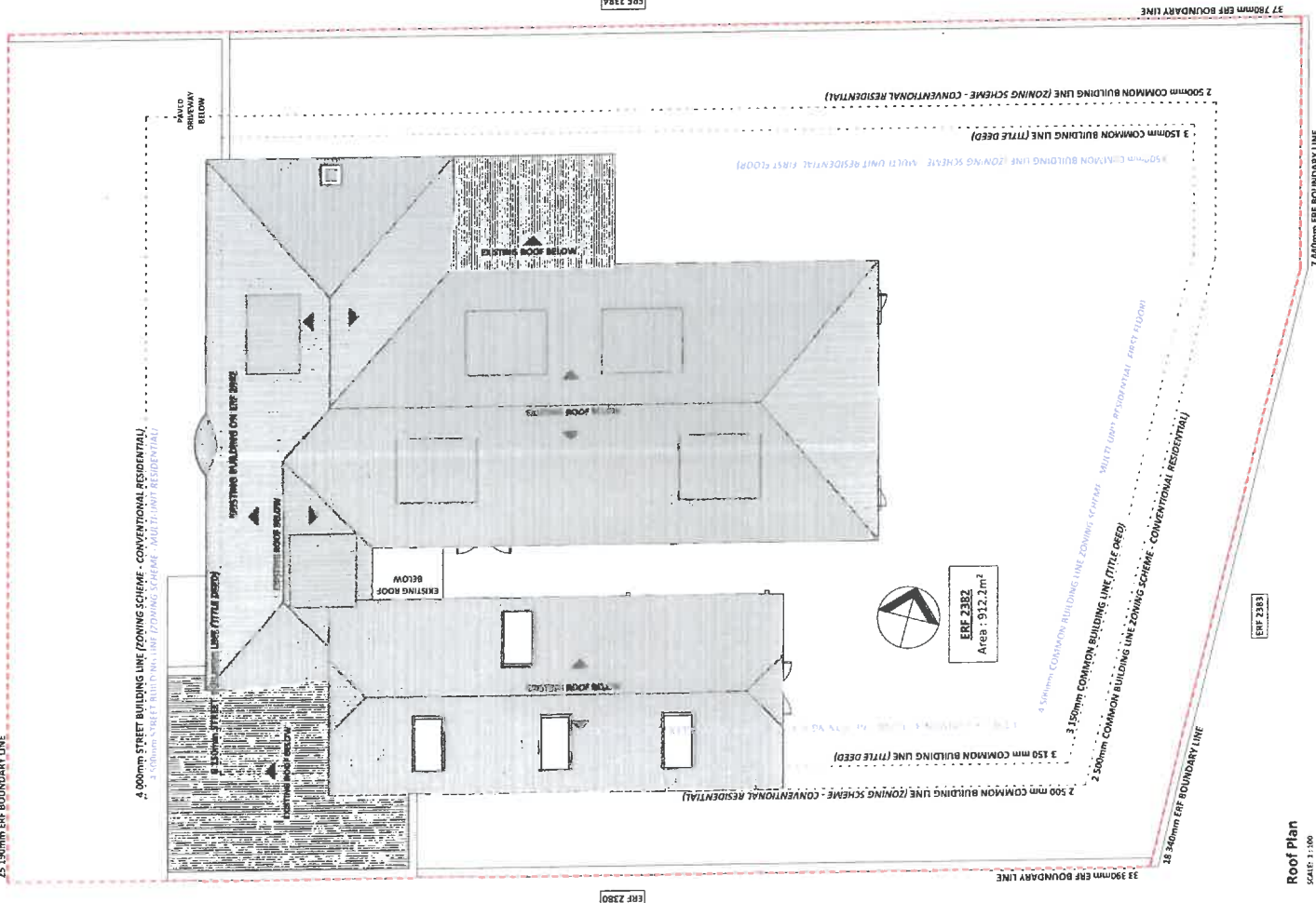
ANNEXURE B

SITE PLANS

COMPARISON OF DEVELOPMENT PARAMETERS OF:
CONVENTIONAL RESIDENTIAL ZONE VS MULTIFAMILY RESIDENTIAL ZONE VS TITLE DEED

DEVELOPMENT PARAMETER		PERMISSIBLE			TITLE DEED	PROPOSED
		ZONING SCHEME (MULTI-UNIT RESIDENTIAL ZONE)	ZONING SCHEME (CONVENTIONAL RESIDENTIAL ZONE)			
STREET BOUNDARY BUILDING LINES	GROUP HOUSING	EXTERNAL: 3m INTERNAL: 0m				
	FLATS	ALL LEVELS: 4.5m	4.0 m	6.15 m	4.57 m COMPLIANT	
	ALL OTHER BUILDINGS	ALL LEVELS: 4.5m				
COMMON BOUNDARY BUILDING LINES	GROUP HOUSING	EXTERNAL: 3m INTERNAL: 0m			4.0m and 2.9m in lieu of 4.6m on Erf 2380 (Ground Floor)	
	FLATS	GROUND FLOOR: 4.5m FIRST FLOOR: 4.5m SECOND FLOOR: 6m	2.5 m	3.15 m	4.2m in lieu of 4.6m Erf 2384 (Ground Floor) 2.5m in 4.5 on Erf 2380 (First Floor)	
	ALL OTHER BUILDINGS	GROUND FLOOR: 4.6m FIRST FLOOR: 4.5m SECOND FLOOR: 6m				
COVERAGE	GROUP HOUSING	50 % 456.1 m ²			33%	
	FLATS	50 % 456.1 m ²	50 % 456.1 m ²	33 %	301.35 m ² : COMPLIANT	
	ALL OTHER BUILDINGS	50 % 456.1 m ²				
HEIGHT	GROUP HOUSING	2 Storeys	2 Storeys	N / A	2 Storeys	
	FLATS	4 Storeys				
	ALL OTHER BUILDINGS	3 Storeys				
PARKING BAYS		1 Parking Bay / Room 10 Parking Bays	1 Parking Bay / Room 10 Parking Bays	N / A	8 BAYS: 7 Vehicular Parking Bays 6 Bicycle Parkings (1 Bay)	
FLOOR AREA	GROUP HOUSING	N / A	N / A	N / A	N / A	
	FLATS	75 %				
	ALL OTHER BUILDINGS	75 %				

Floor Area	
Name	Area
Ground Floor Area	289.49 m ²
First Floor Area A	56.92 m ²
First Floor Area B	89.35 m ²
TOTAL FLOOR AREA	435.76 m ²



ERF SIZE : 912.2 m²

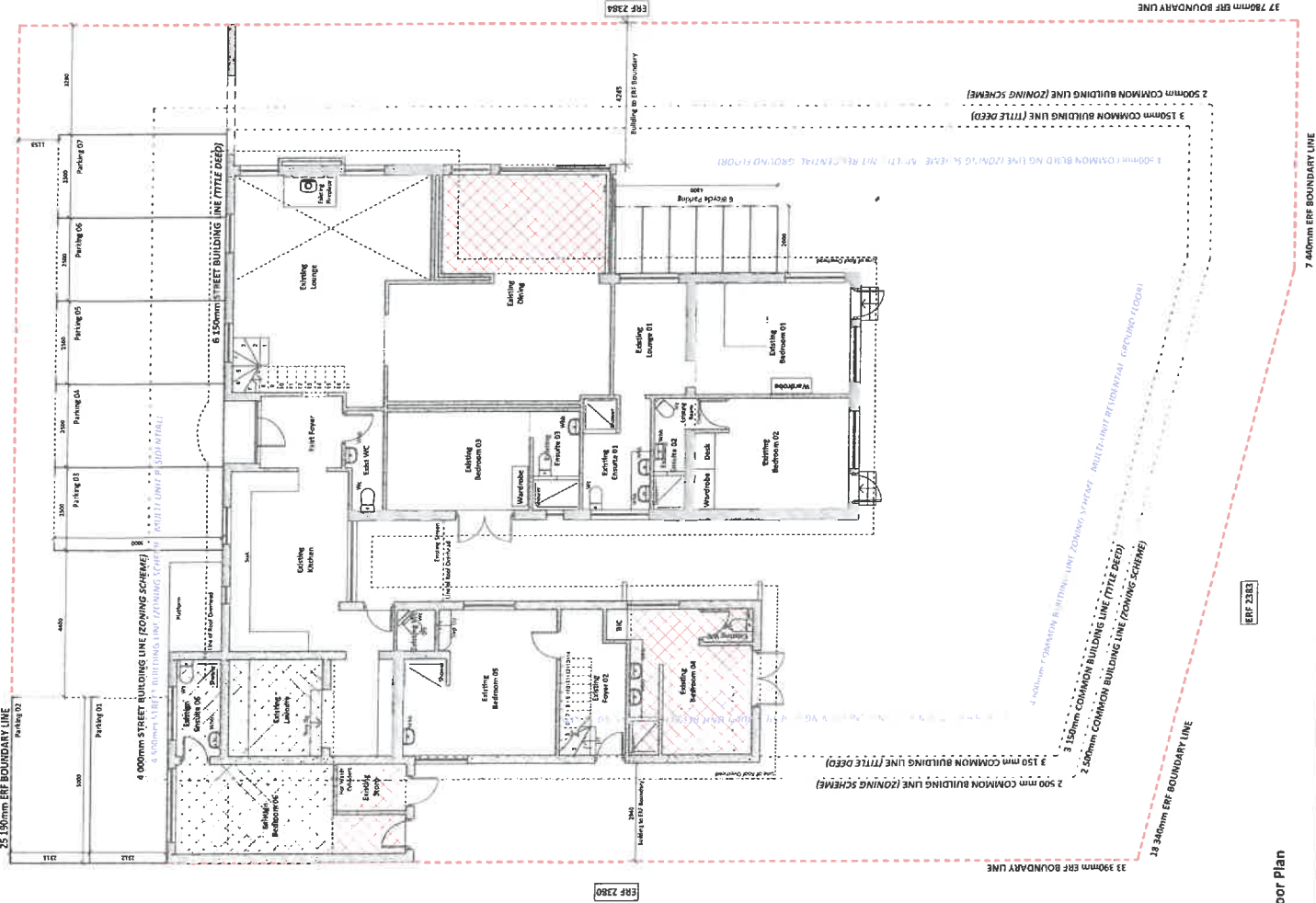
LEGEND

- New extension not on Approved Building Plans
- Approved Carport converted to bedroom

COMPARISON OF DEVELOPMENT PARAMETERS OF:
CONVENTIONAL RESIDENTIAL ZONE VS MULTI-UNIT RESIDENTIAL ZONE VS TITLE DEED

DEVELOPMENT PARAMETER	PERMISSABLE			PROPOSED
	ZONING SCHEME (MULTI-UNIT RESIDENTIAL ZONE)	ZONING SCHEME (CONVENTIONAL RESIDENTIAL ZONE)	TITLE DEED	
STREET BOUNDARY BUILDING LINES	GROUP HOUSING	EXTERNAL: 3m INTERNAL: 0m		
	FLATS	ALL LEVELS: 4.5m	6.15 m	4.92 m COMPLIANT
	ALL OTHER BUILDINGS	ALL LEVELS: 4.5m		
COMMON BOUNDARY BUILDING LINES	GROUP HOUSING	EXTERNAL: 3m INTERNAL: 0m		
	FLATS	GROUND FLOOR: 4.5m FIRST FLOOR: 4.5m SECOND FLOOR: 5m	3.15 m	4.0m and 2.0m in lieu of 4.5m on ERF 2380 (Ground Floor)
	ALL OTHER BUILDINGS	GROUND FLOOR: 4.5m FIRST FLOOR: 4.5m SECOND FLOOR: 6m		4.2m in lieu of 4.5m ERF 2380 (Ground Floor) 2.5m in 4.5m on ERF 2380 (First Floor)
COVERAGE	GROUP HOUSING	50% 455.1 m ²		
	FLATS	50% 455.1 m ²	33 %	33% 301.35 m ² COMPLIANT
	ALL OTHER BUILDINGS	50% 455.1 m ²		
HEIGHT	GROUP HOUSING	2 Storeys		
	FLATS	4 Storeys	N/A	2 Storeys
	ALL OTHER BUILDINGS	3 Storeys		
PARKING BAYS	GROUP HOUSING	1 Parking Bay / Room 10 Parking Bays		
	FLATS	N/A	N/A	8 BAYS: • 7 Vehicular Parking Bays • 6 Bicycle Parking (1 Bay)
	ALL OTHER BUILDINGS	75 %	N/A	N/A
FLOOR AREA	GROUP HOUSING	75 %		
	FLATS	75 %		
	ALL OTHER BUILDINGS	75 %		

Floor Area	
Name	Area
Ground Floor Area	286.45 m ²
First Floor Area A	56.92 m ²
First Floor Area B	80.35 m ²
TOTAL FLOOR AREA	435.75 m ²



R.CHITECT
STUDIO

Architects
Rachael Boshoff
Priscilla Bekker
SACAP
15/11/2021
10/11/2021

THE BEAUTEUL SOUTH GUEST HOUSE
: 10/11/2021
: 10/11/2021

Architects
Rachael Boshoff
Priscilla Bekker
SACAP
15/11/2021
10/11/2021

DOCUMENTING EXISTING BUILDING ON ERF
2382 - HOSPITAAL STRAAT 4, STELLENBOSCH

Town Planning
: 10/11/2021
: 10/11/2021

Ground Floor Plan
: 10/11/2021
: 10/11/2021

Town Planning
: 10/11/2021
: 10/11/2021

Ground Floor Plan
: 10/11/2021
: 10/11/2021

Town Planning
: 10/11/2021
: 10/11/2021



STELLENBOSCH
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ANNEXURE E

COMMENT FROM DEPARTMENTS



STELLENBOSCH MUNICIPALITY

STELLENBOSCH · PNIEL · FRANSCHHOEK

MEMORANDUM

DIREKTORAAT: INFRASTRUKTUURDIENSTE
DIRECTORATE: INFRASTRUCTURE SERVICES

CIVIL ENGINEERING SERVICES

To ▫ Aan: Director: Planning + Economic Development

Att Aandag: Salome Newman

From ▫ Van: Principal Technician: Development (Infrastructure Services)

Author ▫ Skrywer: Ilze Fillies

Date ▫ Datum: 07 June 2024

Our Ref ▫ Ons Verw: Civil LU 2640

Town Planning Ref: LU/15298

Re ▫ Insake: Erf 2382, Stellenbosch: Application is made in terms of Section 15(2)(f) of the Stellenbosch Municipality Land Use Planning By-Law, October 2015 for the removal of restrictive title deed conditions Clauses B.IV(2), (3) & (4), Clause B.VI(5), and Clauses B.VII(1) & (5) as contained in Deed of Transfer No. T25430/2020 to permit the existing building and existing extension thereof on Erf 2382, Stellenbosch. 2. Application is made in terms of Section 15(2)(g) of the Land Use Planning By-law for permission in terms of Section 78.(2) of the Stellenbosch Zoning By-law to allow for an erf less than 1000m² to be used in line with the land use rights of the Multi-Residential Zone (commune) on Erf 2382, Stellenbosch. 3. Application is made in terms of Section 15(2)(b) of the Stellenbosch Municipality Land Use Planning By-Law, October 2015 for a permanent departure to relax the following building lines on Erf 2382, Stellenbosch: a) the southern common building line from 4.5m to 0m to accommodate an existing extension to the existing building. b) (other building lines to be to be confirmed)

4. Application is made in terms of Section 15(2)(b) of the Stellenbosch Municipality Land Use Planning By-Law, October 2015 for a permanent departure for the under provision of parking bays to permit 8 parking bays in lieu of the required 10 parking bays on Erf 2382, Stellenbosch.

The application is recommended for approval, subject to the following conditions:

1. Civil Engineering services

- 1.1 All parking bays must be in the erf boundary. No parking bays are permitted on the road reserve.

2. Development Charges (DCs)

- 2.1 The following DC's are payable: See Development Charge Calculation attached.
- 2.2 The DC's were calculated by using the 2023/2024 tariff structure. If DC's are paid after 30 June 2024 it will have to be recalculated by using the tariff structure applicable at date of payment.
- 2.3 Furthermore, an additional Parking DC for the shortfall of the 2-parking bay will be payable.**
- 2.4 The DC's (including the parking DC's) are payable before the facility is put to its approved use.



Ilze Fillies

Principal Technician: Development (Infrastructure Services)

N:\2.0 DEVELOPMENT\01 Land Use applications\2640 (IF) Erf 2382 Stellenbosch (LU-15298)\2640 () Erf 2382 Stellenbosch (LU-15298).doc





Stellenbosch Municipality

Development Charge Calculation



APPLICATION INFORMATION	
Application Number:	2640 (IF) Erf 2382 Stellenbosch (LU-15288)
Development Name:	
Date:	07 June 2024
Financial Year:	2023/2024
Erf Location (Select from 7 Locations):	Stellenbosch Town
Erf Region (Select Urban or Rural):	Urban
Erf No. / Farm No.:	Erf 2382 Stellenbosch
DC Parameters Reference:	Motivation report page 7 Erf 2382 Stellenbosch by ARCH Town planners dated October 2022

SUMMARY OF DC CALCULATION									
Service:	Water	Sewer	Stormwater	Solid Waste	Roads & Transport	Sub Total (Civil Eng Services)	Community	Totals	
Unit(s):	k/day	k/day	ha°C	t/week	trips/day		persons		
Total Increased Services Usage:	0,9	0,75	0,02	0,075	6,25		5		
Total Service Usage Reduction:	0	0	0	0	0,0		0		
Total Service Usage after Reduction:	0,90	0,75	0,02000	0,075	6,3		5		
Charges before adjusting for positive only, before Deductions	R 28 204,00	R 25 868,08	R 4 143,32	R 7 335,87	R 37 720,23	R 103 271,50	R 19 287,88	R	122 559,39
Charges adjusted for positive only, before Deductions	R 28 204,00	R 25 868,08	R 4 143,32	R 7 335,87	R 37 720,23	R 103 271,50	R 19 287,88	R	122 559,39
Total Deductions:	R -	R -	R -	R -	R -	R -	R -	R	-
Total Development Charges Payable (excluding VAT):	R 28 204,00	R 25 868,08	R 4 143,32	R 7 335,87	R 37 720,23	R 103 271,50	R 19 287,88	R	122 559,39
VAT:	R 4 230,60	R 3 880,21	R 62,150	R 1 100,38	R 5 658,03	R 15 490,73	R 2 893,18	R	18 383,91
Total Development Charges Payable (including VAT):	R 32 434,60	R 29 748,29	R 4 764,82	R 8 436,25	R 43 378,27	R 118 762,23	R 22 181,07	R	140 943,28

APPLICANT INFORMATION	
Application Processed by:	Iize Fillies
Signature:	
Notes:	

Stellenbosch Town

Land Use Category	Unit Type	Existing Usage		Proposed New Usage		Increased Usage		Development Charge Levied (incl VAT)						Community	Total
		Area (m²)	Volume (m³)	Area (m²)	Volume (m³)	Result	Result	Waste	Sewer	Stormwater	Solid Waste	Roads & Transport	Sub Total (incl emp services)		
Residential	Single Residential >100m²	du						Yes	Yes	Yes	Yes	Yes	R	R	R
	Single Residential >500m²	du						Yes	Yes	Yes	Yes	Yes	R	R	R
	Single Residential >250m²	du						Yes	Yes	Yes	Yes	Yes	R	R	R
	Single Residential <250m²	du						Yes	Yes	Yes	Yes	Yes	R	R	R
	Second Dwelling	du						Yes	Yes	Yes	Yes	Yes	R	R	R
	Less Formal Residential	du						Yes	Yes	Yes	Yes	Yes	R	R	R
	Group Residential	du						Yes	Yes	Yes	Yes	Yes	R	R	R
	Apartments	du						Yes	Yes	Yes	Yes	Yes	R	R	R
	Retirement Village	du						Yes	Yes	Yes	Yes	Yes	R	R	R
	Old age home	du						Yes	Yes	Yes	Yes	Yes	R	R	R
Accommodation	Student Accommodation/Commune/Hostels	rooms						Yes	Yes	Yes	Yes	Yes	R	R	R
	Guest House	rooms						Yes	Yes	Yes	Yes	Yes	R	R	R
	Converted Guest House	rooms						Yes	Yes	Yes	Yes	Yes	R	R	R
	Hotel, Residential	rooms						Yes	Yes	Yes	Yes	Yes	R	R	R
	General Business	m² GLA						Yes	Yes	Yes	Yes	Yes	R	R	R
Commercial	Office	m² GLA						Yes	Yes	Yes	Yes	Yes	R	R	R
	Retail/Shop	m² GLA						Yes	Yes	Yes	Yes	Yes	R	R	R
	Restaurant	m² GLA						Yes	Yes	Yes	Yes	Yes	R	R	R
	Outdoor Function / Picnic Area	persons						Yes	Yes	Yes	Yes	Yes	R	R	R
	Conference Facility/Place of assembly	m² GLA						Yes	Yes	Yes	Yes	Yes	R	R	R
	Hospital/Clinic/Medical Rooms	m² GLA						Yes	Yes	Yes	Yes	Yes	R	R	R
	University/College	student						Yes	Yes	Yes	Yes	Yes	R	R	R
	School/Day Care	student						Yes	Yes	Yes	Yes	Yes	R	R	R
	Industrial - light	m² GLA						Yes	Yes	Yes	Yes	Yes	R	R	R
	Industrial - heavy	m² GLA						Yes	Yes	Yes	Yes	Yes	R	R	R
Industrial	Warehousing/Light Manufacturing	m² GLA						Yes	Yes	Yes	Yes	Yes	R	R	R
	Storage Facilities	unit						Yes	Yes	Yes	Yes	Yes	R	R	R
	Open Space/Natural Environment/Utility Site	ha						Yes	Yes	Yes	Yes	Yes	R	R	R
Non demand	Roads and Parking	ha						Yes	Yes	Yes	Yes	Yes	R	R	R
	To be calculated	n/a						Yes	Yes	Yes	Yes	Yes	R	R	R
Other	Additional Deduction per service - from Service Agreement (sum)	n/a						Yes	Yes	Yes	Yes	Yes	R	R	R
	(Based on equivalent demands)	n/a						Yes	Yes	Yes	Yes	Yes	R	R	R
Total Area:		0						Total Area:						0	

Charges before adjusting for positive only, before Deductions		R	28 204,00	R	25 888,08	R	4 143,32	R	7 335,87	R	37 720,23	R	103 271,50	R	19 287,68	R	122 558,39
Charges adjusted for positive only, before Deductions		R	28 204,00	R	25 888,08	R	4 143,32	R	7 335,87	R	37 720,23	R	103 271,50	R	19 287,68	R	122 558,39
Deductions per service (from usage reductions)		R	-	R	-	R	-	R	-	R	-	R	-	R	-	R	-
Discount Deduction (%)		R	-	R	-	R	-	R	-	R	-	R	-	R	-	R	-
Additional Deduction per service - from Service Agreement (sum)		R	-	R	-	R	-	R	-	R	-	R	-	R	-	R	-
Sub Total after Adjustments and Deductions (excluding VAT)		R	28 204,00	R	25 888,08	R	4 143,32	R	7 335,87	R	37 720,23	R	103 271,50	R	19 287,68	R	122 558,39
VAT		R	4 230,60	R	3 880,21	R	621,50	R	1 100,36	R	5 658,03	R	15 490,73	R	2 893,16	R	16 383,89
Total Development Charges		R	32 434,60	R	29 768,29	R	4 764,82	R	8 436,25	R	43 378,27	R	118 762,23	R	22 180,84	R	140 943,29



Stellenbosch Municipality

Parking bay shortfall Calculation

SUNDRY TARIFFS FOR THE PERIOD 1 JULY 2023 TO 30 JUNE 2024 Applicable to services rendered from 1 July 2023

2640 (F) Erf 2382 Stellenbosch (LU-15298)

07-Jun-24

Stellenbosch

Roads transport and Stormwater

Tariff 2023/24 (Including VAT)

Under provision of parking bays

Total

R197 274,60

2

R394 549,20

/Ize Fillies

Application processed by

Signature

AFALLLES

✍

ERF 2382

. Comment

1. APPROVED

CONDITIONS:

2. If the current electricity supply is not adequate, an application for an increase in electricity supply must be submitted to Stellenbosch Municipality: Electrical Engineering Services.
3. If connecting a generator or solar panels for backup, the generator or solar panels needs to comply to SANS10142
4. All electrical work to comply to SANS 142, SANS 104 XA, SANS 1307, SANS 10106, SANS 10252-1 and SANS 10254, and Municipal By-Laws

5 Appropriate caution shall be taken during construction, to prevent damage to existing electrical equipment in the vicinity. Should damage occur, the applicant will be liable for the cost involved repairing damages?

ERF 

Date 29/2/2024