



STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

Application Number: LU/16964

Our File Reference Number: Erf 1095, Stellenbosch

Your Reference Number: None

Enquiries: Ulrich von Molendorff

Contact No: 021 – 808 8682

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

PER E-

Sir / Madam

APPLICATION FOR A REMOVAL, RELAXATION OF RESTRICTIVE TITLE DEED CONDITION AND CONSENT USE: ERF 1095, 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 application(s) in terms of Section 15(2) of the Stellenbosch Municipal Land Use Planning By-law, 2023 on Erf 1095, Stellenbosch for:
 - 2.1.1 The **removal of restrictive title deed condition** in terms of section 15(2)(f) of the said By-law to allow the construction of a second dwelling.

"clause D(iii)(b) of T2305/2000: dit mag alleen gebruik word vir die doel van een woning tesame met die buitegeboue wat gewoonlik in verband daarmee gebruik word daarop te rig."
 - 2.1.2 The **relaxation of restrictive title deed condition** in terms of section 15(2)(f) of the said By-law to increase the permitted coverage from 33% to 43%.

"clause D(iii)(c) of T2305/2000: op nie meer as een-derde van die opervlakte daarvan mag gebou word nie."
 - 2.1.3 The **relaxation of restrictive title deed condition** in terms of section 15(2)(f) of the said By-law to allow a section of the second dwelling to be 5.83m in lieu of 6.3m from the street building line (Bergh Street).

"clause D(iii)(d) of T2305/2000: geen gebou of stuktuur of enige gedeelte daarvan behalwe grensmure en heinings mag binne as 6.3 meter van die straatlyn wat 'n grens van hierdie erf vorm, opgerig word nie, ook nie binne 3.15 meter van die agtergrens of sygrens van aangrensende erf nie, met dien verstande dat 'n

buitegebou met die toestemming van die plaaslike owerheid op die voorgeskrewe ruimte langs die agtergrens opgerig mag word, mits sodanige buitegebou nie 'n hoogte van 3.05 meter te bowe gaan nie, watter hoogte gemeet moet word van die vloer tot die ankerplaat, en mits geen gedeelte daarvan vir bewoningsdoeleindes deur mense aangewend word nie. By konsolidering van enige twee of meer erwe sal hierdie voorwaardes van toepassing wees op die gekonsolideerd gebied as een erf."

2.1.4 **Consent Use** in terms of section 15(2)(o) of the said By-law to allow a second dwelling that exceeds the threshold.

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

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

- 3.1 The approval applies only to the proposed application 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 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.
- 3.3 Building plans must be generally in accordance with the site plan/ floor layout plan as referenced in drawing number; 0643-SP02C revision 01, dated 12/10/2023, drawn by I. Rossouw attached as Annexure A.
- 3.4 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.
- 3.5 Development charges are payable in accordance with the prevailing and applicable Council Tariffs at the time of payment prior to the approval of any building plans. See attached Annexure B.
- 3.6 Conditions imposed by the Infrastructure Services Department as contained in the memorandum dated 24 June 2024 and attached as Annexure B, be complied with.
- 3.7 That obscured glass be used on all windows on the first floor on south-west and north-west sides of the building to ensure privacy of Erf 1094.
- 3.8 That the second dwelling is to be used exclusively for the residence of a single family, as defined, and may not be rented out to students.

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

- 4.1 The proposal is in line with the existing land use of the property and is considered minor, as it will not detract from the prevailing character of the area.
- 4.2 The proposed dwelling additions use will have no impact on municipal services.
- 4.3 Sufficient parking has been provided for the proposed use.

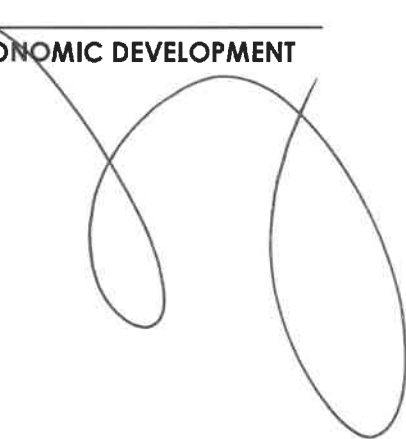
- 5. You are hereby informed in terms of section 79(2) of the Stellenbosch Municipal Land Use Planning Bylaw of your right to appeal the above decision to the Appeal Authority within 21 days from the date of notification of the above decision. Please note that no late appeals or an extension of time 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.

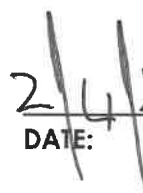
11. Kindly note that no appeal right exists in terms of Section 62 of the Local Government Municipal Systems Act, No 32 of 2000.
12. Kindly note the above decision in the case of any approval, is suspended, and may therefore not be acted on, until such time as the period for lodging appeals has lapsed, any appeal has been finalised and you've been advised accordingly.

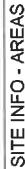
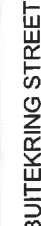
Yours faithfully



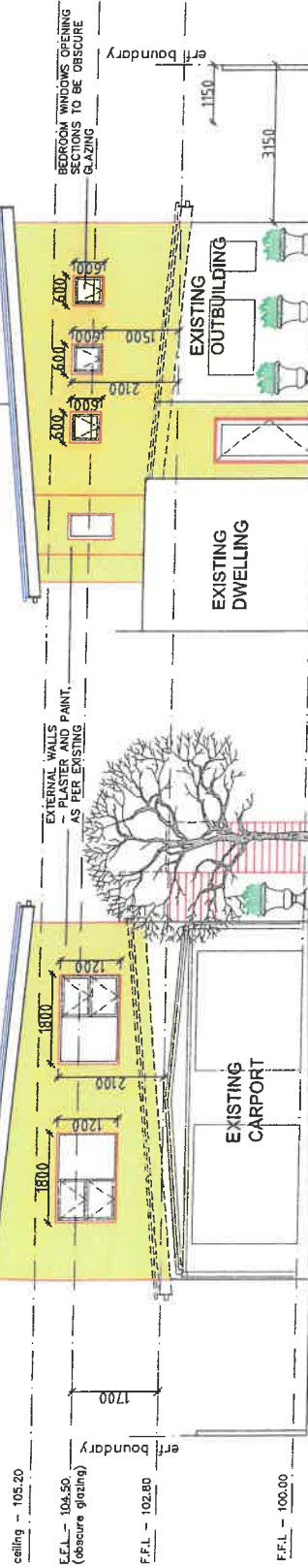
FOR DIRECTOR PLANNING AND ECONOMIC DEVELOPMENT




21/4/2025
DATE:

[illegible][illegible]

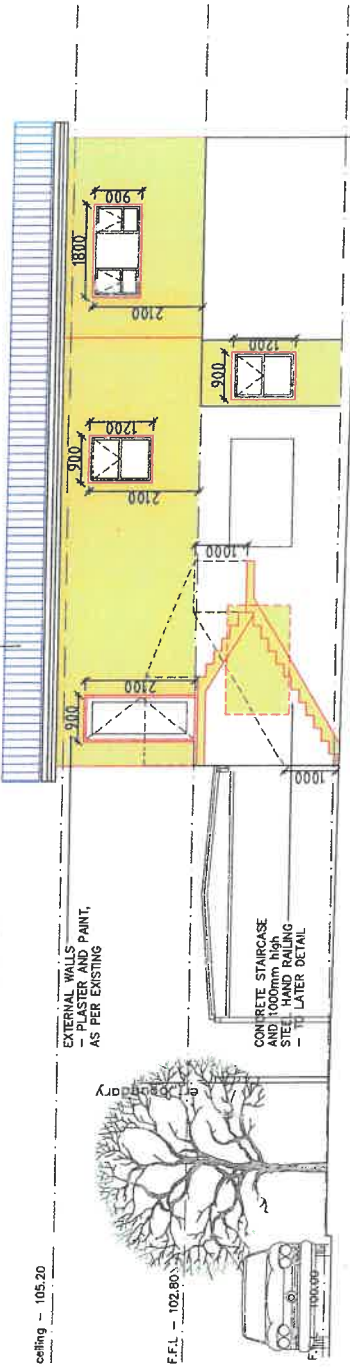
ROOF - BR ROOF SHEETING ('SUNSET RED' TO MATCH EXISTING ROOF TILES COLOR) AS PER EXISTING FACED TO MATCH EXISTING DWELLING - 'NUTEC' FACIAS AND PVC GUTTERS AND RAINWATER PIPES



SOUTH EAST ELEVATION
(EXISTING AND PROPOSED)
SCALE 1:50

height restriction - 108.00

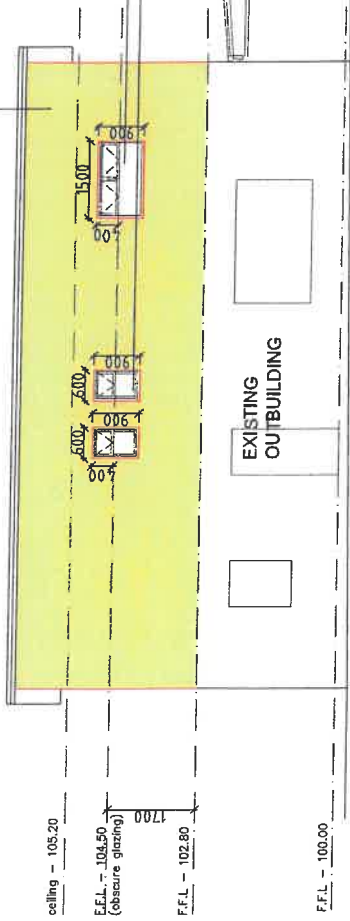
ROOF - BR ROOF SHEETING ('SUNSET RED' TO MATCH EXISTING ROOF TILES COLOR) AS PER EXISTING FACED TO MATCH EXISTING DWELLING - 'NUTEC' FACIAS AND PVC GUTTERS AND RAINWATER PIPES



NORTH EAST ELEVATION
(EXISTING AND PROPOSED)
SCALE 1:50

height restriction - 108.00

EXTERNAL WALLS - PLASTER AND PAINT, AS PER EXISTING



SOUTH WEST ELEVATION
(EXISTING AND PROPOSED)
SCALE 1:50

GENERAL NOTES

- ALL THE MEASUREMENTS AND DIMENSIONS MUST BE CHECKED ON SITE BEFORE BEGINNING WORK. THE DIMENSIONS AND ADJUSTMENTS MUST BE MADE TO THE DRAWINGS AND ADJUSTED TO THE ACTUAL SITUATION. THE DIMENSIONS AND ADJUSTMENTS MUST BE MADE TO THE DRAWINGS AND ADJUSTED TO THE ACTUAL SITUATION. THE DIMENSIONS AND ADJUSTMENTS MUST BE MADE TO THE DRAWINGS AND ADJUSTED TO THE ACTUAL SITUATION.
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10/23/2024

Paul Kruger

REVISION/RESUBMITTING
REV-01 - LUM APPLICATION
AMENDMENTS

CLIENT/OWNER	POA	DATE/DATE	12-18-2023	DRAWING NO./REV. NO.	0443-SP011	REVISION/RESUBMITTING	REV-01
DESIGNER/ARCHITECT	1:50	DATE/DATE	12-18-2023	DRAWING NO./REV. NO.	0443-SP011	REVISION/RESUBMITTING	REV-01
DATE/DATE	12-18-2023	DRAWING NO./REV. NO.	0443-SP011	REVISION/RESUBMITTING	REV-01	REVISION/RESUBMITTING	REV-01
DATE/DATE	12-18-2023	DRAWING NO./REV. NO.	0443-SP011	REVISION/RESUBMITTING	REV-01	REVISION/RESUBMITTING	REV-01



STELLENBOSCH MUNICIPALITY
STELLENBOSCH·PNIEL·FRANSCHHOEK

MEMORANDUM

DIREKTORAAT: INFRASTRUKTUURDIENSTE
DIRECTORATE: INFRASTRUCTURE SERVICES

CIVIL ENGINEERING SERVICES

To ▫ Aan: Director: Planning + Economic Development

Att Aandag: Nicole Katts

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

Author ▫ Skrywer: Kurt Titus

Date ▫ Datum: 24 June 2024

Our Ref ▫ Ons Verw: Civil LU 2719

Town Planning Ref: LU/16964

Re ▫ Insake: Erf 1095, Stellenbosch: 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 1095, Stellenbosch to permit the construction of a second dwelling. "- clause D(iii)(b) of T2305/2000: dit mag alleen gebruik word vir die doel van een woning tesame met die buitegeboue wat gewoonlik in verband daarmee gebruik word daarop te rig." 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 1095, Stellenbosch to increase the permitted coverage from 33% to 43%. "-clause D(iii)(c) of T2305/2000: oop nie meer as een-derde van die oopervlakte daarvan mag gebou word nie."

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 1095, Stellenbosch to permit the staircase and a section of the second dwelling on the first floor to be 1.15m in lieu of 3.150m from the common(side) boundary and 5.83m in lieu of 6.3m from the street building line (Bergh Street). "- clause D(iii)(d) of T2305/2000: geen gebou of stuktuur of enige gedeelte daarvan behalwe grensmure en heinings mag binne as 6.3 meter van die straatlyn wat 'n grens van hierdie erf vorm, opgerig word nie, ook nie binne 3.15 meter van die agtergrens of sygrens van aangrensende erf nie, met dien verstande dat 'n buitegebou met die toestemming van die plaaslike owerheid op die voorgeskrewe ruimte langs die agtergrens opgerig mag word, mits sodanige buitegebou nie 'n hoogte van 3.05 meter te bowe gaan nie, watter hoogte gemeet moet word van die vloer tot die ankerplaat, en mits geen gedeelte daarvan vir bewoningsdoeleindes deur mense aangewend word nie. By konsolidering van enige twee of meer erwe sal heirdie voorwaardes van toepassing wees op die gekonsolideerd gebied as een erf."

4. Application in terms of section 15(2)(b) of the Stellenbosch Municipality Land Use Planning By-Law, 2023 for permanent departure to allow the relaxation of the common building line from 2.5m to 1.15m to accommodate a staircase leading to the second dwelling on Erf 1095, Stellenbosch.

5. Application in terms of section 15(2)(o) of the Stellenbosch Municipality Land Use Planning By-Law, 2023 for consent use to allow a second dwelling that exceeds the threshold on Erf 1095, Stellenbosch.

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

1. Water and Sewer Services

- 1.1 Indicate the position of the water meter on the site layout plan when submitting for building plan approval.
- 1.2 Indicate the position of the sewer erf connection on the site layout plan when submitting for building plan approval.
- 1.3 No additional water and sewer erf connection points will be allowed to accommodate the proposed second dwelling.

2. Development Charges (DCs)

- 2.1 The following DC's are payable: See **Development Charge Calculation** attached. Please note that this calculation is indicative at this stage and will be amended based on the detail information provided on subsequent applications ie building plans / A final calculation will be provided prior to payment.
- 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 and DC Policy principles applicable at date of payment.
- 2.3 Development Chargers are payable prior to building plan approval.

K Titus

Kurt Titus

Principal Technician: Development (Infrastructure Services)

Z:\2.0 DEVELOPMENT\01 Land Use applications\2719 (Ku) Erf 1095 Stellenbosch (LU-16964)\2719 () Erf 1095 Stellenbosch (LU-16964).doc

JK



Stellenbosch Municipality

Development Charge Calculation



APPLICATION INFORMATION

Application Number:	Civil LU 2719
Development Name:	Second Dwelling Daleig
Date:	24 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 1095
DC Parameters Reference	DC_Land Use_Drwn no: 0643-SP01b_1 Rossouw_ Idegn_ Rev 2_ 12/10/2023

SUMMARY OF DC CALCULATION

Service:	Water	Sewer	Stormwater	Solid Waste	Roads & Transport	Sub Total (Civil Eng Services)	Community	Totals
Unit(s):	kl/day	kl/day	ha°C	t/week	trips/day		persons	
Total Increased Services Usage:	0,45	0,4	0,018	0,04	2,5		4	
Total Service Usage Reduction:	0	0	0	0	0,0		0	
Total Service Usage after Reduction	0,45	0,40	0,01800	0,040	2,5		4	
Charges before adjusting for positive only, before Deductions	R 14 102,00	R 13 796,31	R 3 728,99	R 3 912,46	R 15 088,09	R 50 627,86	R 15 430,31	R 68 058,16
Charges adjusted for positive only, before Deductions	R 14 102,00	R 13 796,31	R 3 728,99	R 3 912,46	R 15 088,09	R 50 627,86	R 15 430,31	R 68 058,16
Total Deductions:	R -	R -	R -	R -	R -	R -	R -	R -
Total Development Charges Payable (excluding VAT):	R 14 102,00	R 13 796,31	R 3 728,99	R 3 912,46	R 15 088,09	R 50 627,86	R 15 430,31	R 68 058,16
VAT:	R 2 115,30	R 2 069,45	R 559,35	R 586,87	R 2 263,21	R 7 594,18	R 2 314,55	R 9 908,72
Total Development Charges Payable (including VAT):	R 16 217,30	R 15 865,76	R 4 288,34	R 4 499,33	R 17 351,31	R 58 222,03	R 17 744,85	R 75 966,89

APPLICANT INFORMATION

Application Processed by:	Kurt Titus
Signature:	<i>K Titus</i>
Notes:	

K

Stellenbosch Town

	Land Use Category	Unit Type	Existing Usage				Proposed New Usage				Increased Usage	Development Charges Layout (incl VAT)										Sub Total (Grand Eng Services)	Community	Total			
			Description	Unit	Area (m2)	Unit Amount	Result	Area (m2)	Unit Amount	Result		Amount	Water		Sewer		Stormwater		Solid Waste		Roads & Transport						
													Yes	No	Yes	No	Yes	No	Yes	No	Yes				No	Yes	No
Residential	Single Residential <=100m2	du								0	R	-	R	-	R	-	R	-	R	-	R	-	R	-	R	-	R
	Single Residential <=500m2	du								0	R	-	R	-	R	-	R	-	R	-	R	-	R	-	R	-	R
	Single Residential <=250m2	du								0	R	-	R	-	R	-	R	-	R	-	R	-	R	-	R	-	R
	Single Residential <=250m2	du								0	R	-	R	-	R	-	R	-	R	-	R	-	R	-	R	-	R
	Second Dwelling	du								1	R	14 102.00	R	13 796.31	R	3 728.99	R	3 912.48	R	15 088.09	R	50 927.96	R	15 430.31	R	66 358.16	
	Less Formal Residential	du								0	R	-	R	-	R	-	R	-	R	-	R	-	R	-	R	-	R
	Group Residential	du								0	R	-	R	-	R	-	R	-	R	-	R	-	R	-	R	-	R
	Apartments	du								0	R	-	R	-	R	-	R	-	R	-	R	-	R	-	R	-	R
Accommodation	Retirement Village	du								0	R	-	R	-	R	-	R	-	R	-	R	-	R	-	R	-	R
	Old age home	du								0	R	-	R	-	R	-	R	-	R	-	R	-	R	-	R	-	R
	Student Accommodation/Communal facilities	rooms								0	R	-	R	-	R	-	R	-	R	-	R	-	R	-	R	-	R
	Guest House	rooms								0	R	-	R	-	R	-	R	-	R	-	R	-	R	-	R	-	R
	Converted Guest House	rooms								0	R	-	R	-	R	-	R	-	R	-	R	-	R	-	R	-	R
	Hotel Residential	rooms								0	R	-	R	-	R	-	R	-	R	-	R	-	R	-	R	-	R
	General Business	m2 GLA								0	R	-	R	-	R	-	R	-	R	-	R	-	R	-	R	-	R
	Office	m2 GLA								0	R	-	R	-	R	-	R	-	R	-	R	-	R	-	R	-	R
Commercial	Retail/Shop	m2 GLA								0	R	-	R	-	R	-	R	-	R	-	R	-	R	-	R	-	R
	Restaurant	m2 GLA								0	R	-	R	-	R	-	R	-	R	-	R	-	R	-	R	-	R
	Outdoor Function / Picnic Area	persons								0	R	-	R	-	R	-	R	-	R	-	R	-	R	-	R	-	R
	Conference Facility/Place of assembly	m2 GLA								0	R	-	R	-	R	-	R	-	R	-	R	-	R	-	R	-	R
	Hospital/Clinic/Medical Rooms	m2 GLA								0	R	-	R	-	R	-	R	-	R	-	R	-	R	-	R	-	R
	University/College	student								0	R	-	R	-	R	-	R	-	R	-	R	-	R	-	R	-	R
	School/Day Care	student								0	R	-	R	-	R	-	R	-	R	-	R	-	R	-	R	-	R
	Industrial - light	m2 GLA								0	R	-	R	-	R	-	R	-	R	-	R	-	R	-	R	-	R
Industrial	Industrial - heavy	m2 GLA								0	R	-	R	-	R	-	R	-	R	-	R	-	R	-	R	-	R
	Warehousing/Light Manufacturing	m2 GLA								0	R	-	R	-	R	-	R	-	R	-	R	-	R	-	R	-	R
	Storage Facilities	unit								0	R	-	R	-	R	-	R	-	R	-	R	-	R	-	R	-	R
Non-demand	Open Space/Natural Environment/Utility Site	ha								0	R	-	R	-	R	-	R	-	R	-	R	-	R	-	R	-	R
	Roads and Parking	ha								0.0000	R	-	R	-	R	-	R	-	R	-	R	-	R	-	R	-	R
Other	To be calculated	n/a								0.0000	R	-	R	-	R	-	R	-	R	-	R	-	R	-	R	-	R
	(Based on equivalent demands)	n/a								0	R	-	R	-	R	-	R	-	R	-	R	-	R	-	R	-	R
Total Area:		0								0	R	-	R	-	R	-	R	-	R	-	R	-	R	-	R	-	R

Deduct	Charges before adjusting for positive only, before Deductions	R	14 102.00	R	13 796.31	R	3 728.99	R	3 912.48	R	15 088.09	R	50 927.96	R	15 430.31	R	88 098.16
	Charges adjusted for positive only, before Deductions	R	14 102.00	R	13 796.31	R	3 728.99	R	3 912.48	R	15 088.09	R	50 927.96	R	15 430.31	R	88 098.16
	Deductions per service (from usage reduction)	R	-	R	-	R	-	R	-	R	-	R	-	R	-	R	-
	Discount Deduction (%)	Percentage:	0.00%	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	14 102.00	R	13 796.31	R	3 728.99	R	3 912.48	R	15 088.09	R	50 927.96	R	15 430.31	R	88 098.16
Totals	VAT	R	2 115.30	R	2 069.45	R	569.35	R	588.67	R	2 363.21	R	7 504.18	R	2 314.55	R	9 368.72
	Total Development Charges	R	16 217.30	R	15 865.76	R	4 298.34	R	4 499.33	R	17 451.31	R	58 222.05	R	17 744.85	R	97 466.88

PK