STELLENBOSCH
STELLENBOSCH • PNIEL • FRANSCHHOEK
MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

Application Number: LU/16874 (TP665/2024)
Our File Reference Number: Erf 3244, Stellenbosch
Your Reference Number: None
Enquiries: Ulrich von Molendorff
Contact No: 021 – 808 8682
Email address: Ulrich.Vonmolendorff@stellenbosch.gov.za

PER E-[redacted]

Sir / Madam

APPLICATION FOR A CONSENT USE: ERF 3244, STELLENBOSCH

1. The above application refers.

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

3. That the following application(s) in terms of Section 15(2) of the Stellenbosch Municipal Land Use Planning Bylaw on Erf 3244 Stellenbosch for:

   3.1 **Consent Use** in terms of Section 15 (2) (o) of the said bylaw in order to utilize the existing dwelling unit limited to 2 bedrooms as Commune.

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

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

   4.1 The approval only applies to the proposed application 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.

   4.2 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.

   4.3 The development be implemented in accordance with the Site Development Plan, referenced as drawing No: 1, Project No: PP07/24, drawn by: Botha (Pretplan Building plans), dated Jan 2024.

4.4 The Commune be limited to a maximum of **two (2) bedrooms.**

4.5 The land use shall not create any undue noise or be a nuisance to the neighbourhood and that precautionary measures be taken in order to avoid environmental noise pollution in terms of the Noise Control Regulations (PN627 dated 20 November 1998) made in terms of Section 25 of the Environmental Conservation Act, 1989 (Act No 73 of 1989).

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

5.1 The scale and nature of the proposed development will not compromise the existing character of the surrounding landscape.

5.2 The proposal is in line with the existing land use of the property and the primary use of the property will remain residential.

5.3 Sufficient parking has been provided for the proposed use.

6. Matters **to be noted**:

6.1 Should, after following due process –

a) The subject approved land use remains in breach of complying with any of the conditions of approval required for the vesting of the subject approval, and/ or,
b) The operational use of the facilities be in breach of any of the conditions of approval, inclusive of persistent complaints of undue noise levels, and/ or,
c) The property be used for any unauthorised uses not permitted in terms of this approval, the authorised official of the Municipality will exercise its discretion in terms of Section 90(c) of the Municipal Land Use Planning By-Law to withdraw the subject approval granted and the building structures to be reverted to uses in line with the primary use of the property.

7. 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.

8. 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.

9. **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**

10. 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.

11. 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.

12. 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.

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

14. 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: 6/5/2025

Erf 3243

31,49 m boundary line

exist. 1,8 m high fibrecrete wall

exist. 1,2 m high fibrecrete wall

1,0 m bldg. line (zoning)

1,5 m bldg. line (title deed)

Kahler Street

Erf 3239

15,75 m boundary line

exist. 1,8 m high fibrecrete wall

1,5 m bldg. line (title deed)

1,0 m bldg. line (zoning)

Erf 3244
496,00 sq.m.

Existing Dwelling

exist. Kitchen

exist. Bathrm.

exist. Bedrm.

exist. Bedrm.

exist. Living Room

exist. Stoep

parking

parking

parking

3,0 m bldg. line (zoning)

exist. 0,6 m high wall with 1,2 m high columns

15,75 m boundary line

1,5 m bldg. line (title deed)

1,0 m bldg. line (zoning)

exist. carriage way

31,49 m boundary line

Erf 4333

Areas :	
Erf 3244	496,00 sq.m.
Exist Dwelling	81,50 sq.m.
Exist. Stoep	8,50 sq.m.
Total	90,00 sq.m.
Foot Print	90,00 sq.m.
Coverage	18,1%

pretplan
BOUTLANNE
BUILDING PLANS

[redacted]

Dwelling Ariyah

Existing Dwelling on Erf 3244
6 Kahler Street,Idas Valley,
Stellenbosch

Sheet Description:

Site Plan and Ground Floor Plan

Site Plan and Ground Floor Plan

1 : 100

N

Owner Erf 3244 SACAP ST1950

Project number PP07/24	Scale 1 : 100
1	Date Jan.2024
Rev 4 April 2024	Drawn by botha