STELLENBOSCH
STELLENBOSCH • PNIEL • FRANSCHHOEK
MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

Application Number: LU/17718(TP924/2024)
Our File Reference Number: Erf 773, 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 PERMANENT DEPARTURE, PERMISSION REQUIRED IN TERMS OF THE ZONING SCHEME, AND AMENDMENT OF CONDITION OF APPROVAL ON ERF 773, 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 made in terms of Section 15(2) of the Stellenbosch Municipal Land Use Planning Bylaw, 2023 on Erf 773 Stellenbosch for:

i. **Permanent Departure** in terms of Section 15(2)(b) of the said bylaw in order permit the following:

a) to exceed the permissible height as contemplated in the Urban Conservation Overlay Zone from 10m to 13.3m;
b) to exceed the permissible height as contemplated in the zoning scheme bylaw of 4th storey in lieu of 3 storeys;
c) to encroach the common building line (adjacent to Erf 16043) from 6.0m to 4.6m to permit the erection of a new 4th storey;
d) to encroach the common building line (adjacent to Erf 769 and Erf 770) from 6.0m to 4.2m to permit the erection of a new 4th storey;
e) to encroach the common building line (adjacent to Erf 774) from 6.0m to 4.6m to permit the erection of a new 4th storey.

ii. **Permission** in terms of Section 15(2)(g) of the said bylaw in order to permit the erection of a new 4th storey within the Stellenbosch Urban Conservation Overlay Zone.

iii. **Amendment of condition of approval** in terms of Section 15 (2)(h) of the said by-law to amend condition 3 (j) of the approval dated 6 February 2019 in order to amend the Site Development Plan.

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

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

2.2.1. The approval only applies to the proposed applications 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.

2.2.2. The development and building plans be generally in accordance with the Site Development Plan, floor plan & elevations referenced as drawing No: Z4213/203, 4213/D/101 & 301, dated 07-08-2024 & 29/02/2024 respectively, drawn by: Dennis Moss Partnership Architects) and attached as **Annexure A.**

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 proposed facility be limited to **118.8 m²** and be restricted for the exclusive use of the guests of the hotel.

2.2.5. Planter boxes with a minimum width of 700mm and a 1.0m height must be installed along all edges of the fourth storey of the building to establish a visual setback and to mitigate potential overlooking and visual impact resulting from the proposed use of the roof area. The landscaping of the planter boxes be included in the building plans submission for approval.

2.2.6. Building plans be submitted for all changes of use in the existing buildings and which building plan(s) be approved and related occupancy certificates be issued prior to the vesting of any of the related approvals.

2.2.7. 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).

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

a. The departure will not have any negative impact on the surrounding area or wider cultural landscape of Stellenbosch.
b. The proposal will not detract from the character of the area and should blend in with the surrounding existing land uses.
c. The proposed facility will only be available to the guests of the hotel and not open to public.
d. The proposal will allow the owner to maximise the use of the property while enhancing the tourism-related development of Stellenbosch.

2.4. Matters **to be noted:**

2.4.1 A business license and a liquor license be applied for if required.

3. 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.

4. 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.

5. **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

6. 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.

7. 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.

8. 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.

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

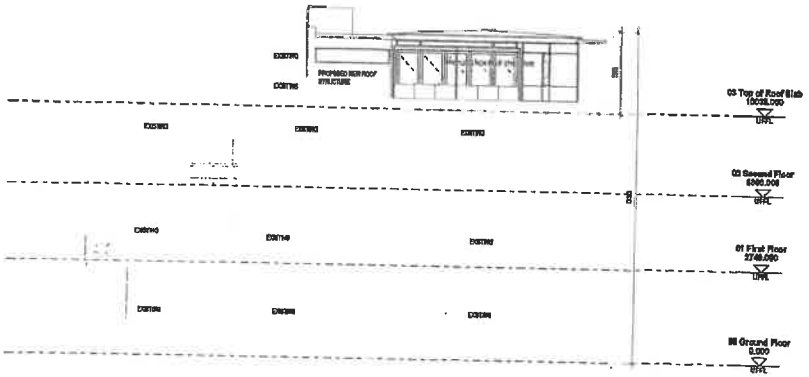
10. Kindly note the above decision in the case of any approval, is suspended, and may therefore not be acted on, until such time as the period for lodging appeals has lapsed, any appeal has been finalised, and you've been advised accordingly.

Yours faithfully

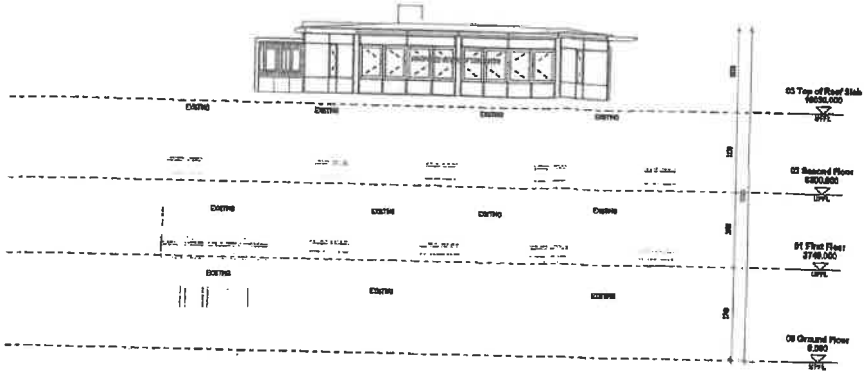
FOR DIRECTOR: PLANNING AND ECONOMIC DEVELOPMENT

9/7/2025

DATE



SOUTH EAST ELEVATION
SCALE: 1:100



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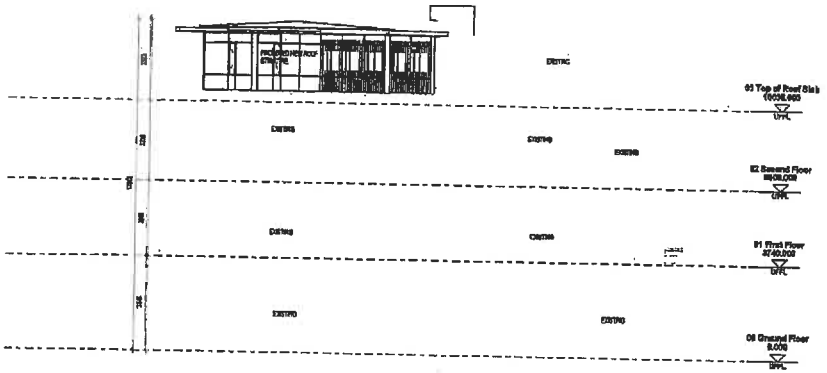

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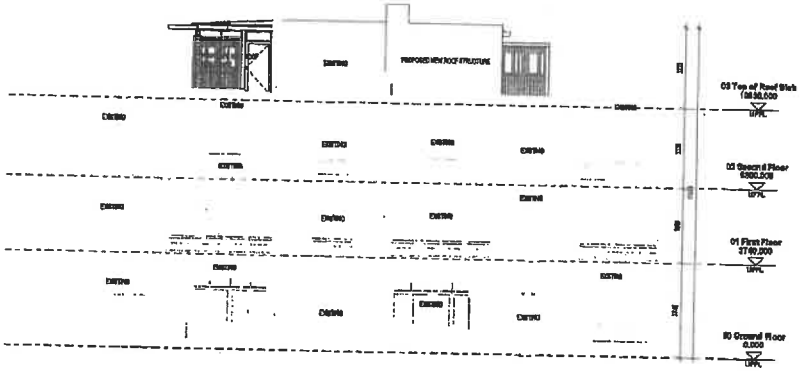


SOUTH WEST ELEVATION
SCALE: 1:100

CHECKPRINT DOCUMENT DATE:	2024/07/29
REVISIONS:	

NO	DATE	DESCRIPTION
0	2024/07/29	FIRST PROPOSAL FOR INFORMATION

General Notes

1. Contractor and Sub-Contractors to check all levels and dimensions on site before any work is commenced and any discrepancies to be reported to the Architect immediately.
2. Figured dimensions to be taken in preference to scaled measurements and large scale details supersede small scale drawings.
3. All work to be done in accordance National Building Regulations SANS 10400 and all requirements of Municipal and Local Authorities concerned are to be adhered to.
4. Natural light and ventilation area of all openings in accordance of floor area and SANS 10400 Part O natural light area: min. 10% of floor area and natural ventilation min. 5% of floor area.
5. All glazing to comply with requirements of SABS 0137 - access doors and sidelights to have safety glass. Windows lower than 800mm from floor, windows lower than 1800mm above pitch line of stairs and shop-fronts to be safety glass.
6. All safety glazing panels shall be etched with glazing marking and this to be visible at all times.
7. All cavities below floor level to be filled with concrete and dpc's to be stepped.
8. No part of construction may encroach building lines.

CLIENT:
ERIGESTREET 12 (PTY) LTD

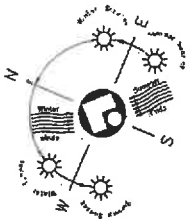
PROJECT TITLE:
ERF 773, STELLENBOSCH, NEW ROOFTOP STRUCTURE

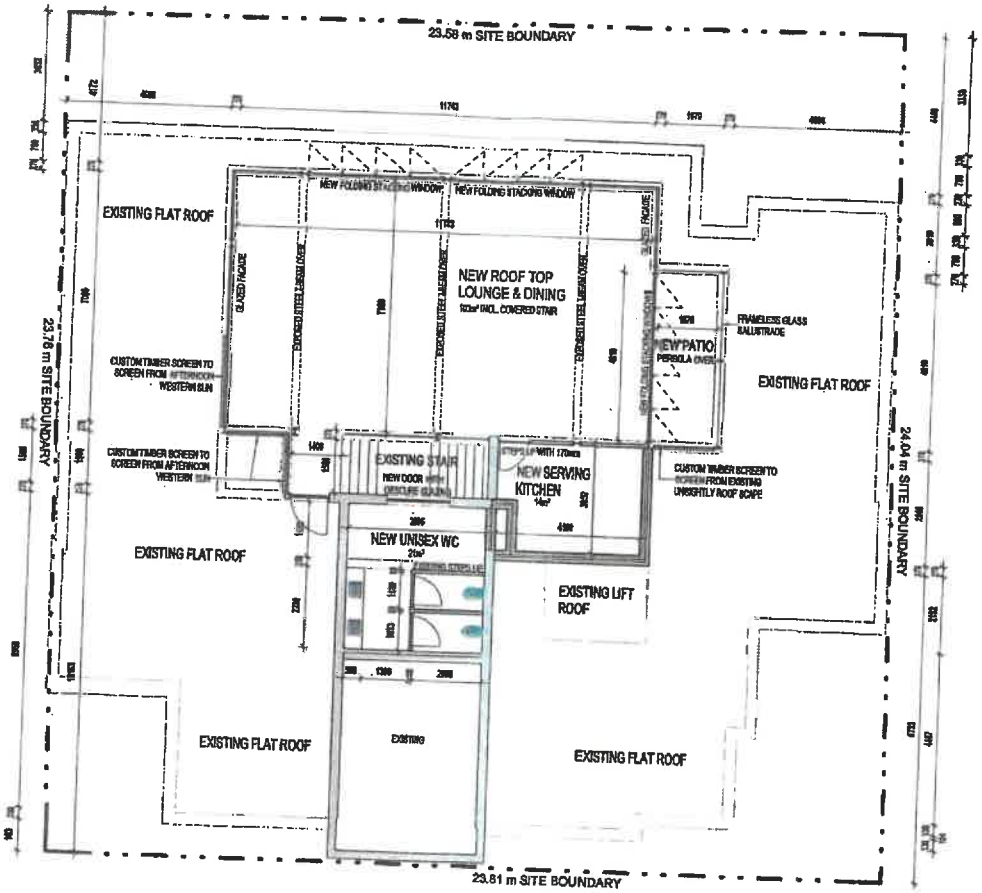
DRAWING TITLE:
ELEVATIONS

PROJECT No:	4213	SCALE:	1:100 @ A1
Drawing No:	4213 /D /304	DATE:	2024/07/29
REV:	0	DRAWN:	CHECKED:

DESIGN

This drawing and all the information contained thereon is the property of Dennis Moss Partnership and may not be copied or disclosed to a third party without written consent.





KRIGE STREET

ROOF PLAN

SCALE: 1 : 100

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ORIGINAL DOCUMENT DATE: 2024/02/29

REVISIONS:

NO	DATE	DESCRIPTION
0	2024/02/29	FIRST PROPOSAL FOR INFORMATION

CLIENT:
KRIGESTREET 12 (PTY) LTD

PROJECT TITLE:
ERF 773, STELLENBOSCH, NEW ROOFTOP STRUCTURE

DRAWING TITLE
Roof Level Plan

PROJECT No:	4213	SCALE	1 : 100 @ A3
DRAWING No	4213 ID 1101	DATE:	2024/02/29
REV	0	DRAWN	CHECKED

FOR INFORMATION

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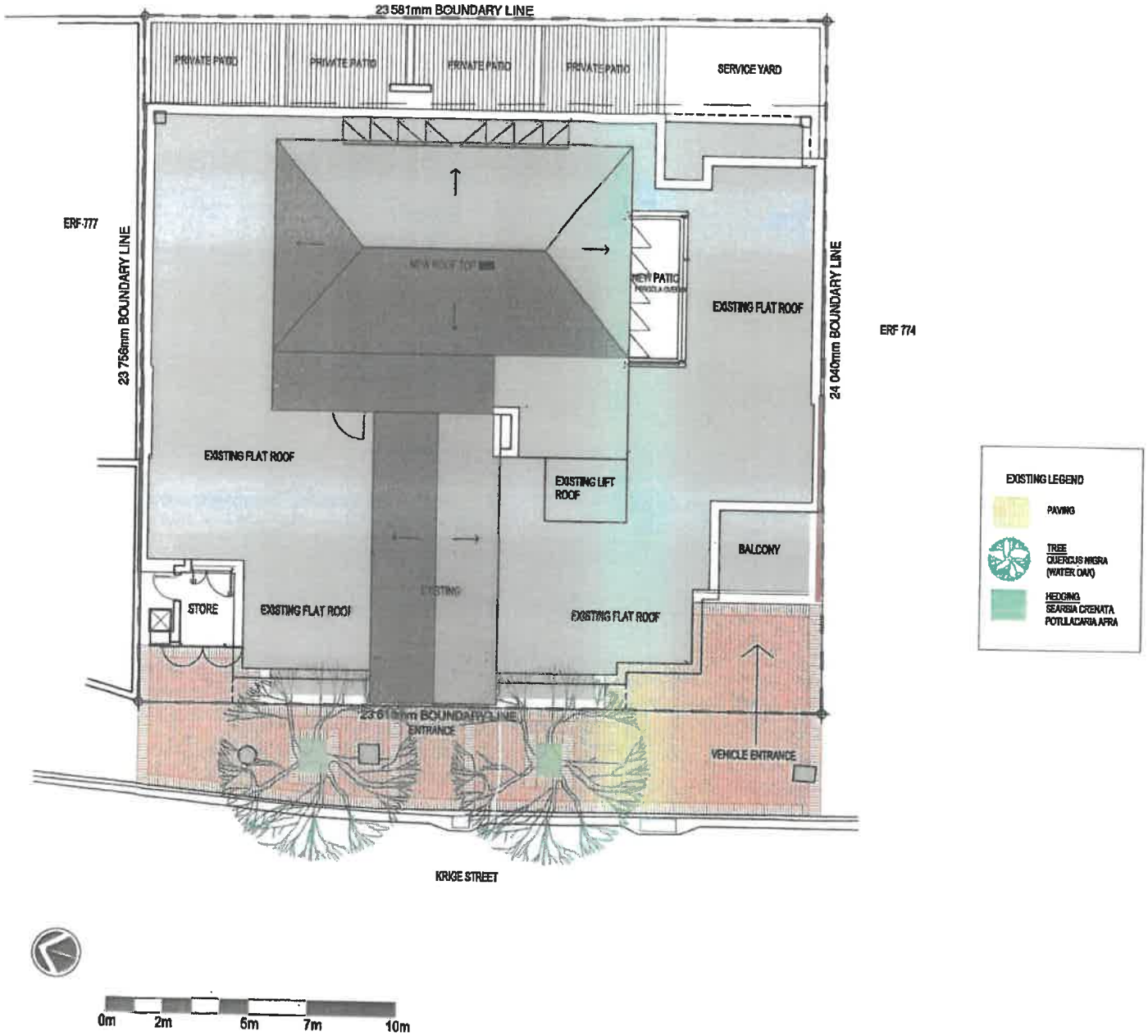

STELLENVEST

KRIGE STREET
HOTEL
ERF 773

SITE DEVELOPMENT PLAN
& LANDSCAPE PLAN

Z4213	1:100
Z4213/203	07-08-2024
1	ADP / JV

FOR DISCUSSION

This drawing and all the information contained thereon is the property of Carrie Mann Partnership and may not be copied or disclosed to a third party without their written consent.