STELLENBOSCH
STELLENBOSCH • PNIEL • FRANSCHHOEK
MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

Application Number: LU/17025 (TP667/2024)
Our File Reference Number: Erf 13628, 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 SUSPENSION OF RESTRICTIVE TITLE DEED CONDITIONS, PERMANENT DEPARTURE AND PERMISSION IN TERMS OF THE ZONING SCHEME: ERF 13628, 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 Bylaw, 2023 on Erf 13628 Stellenbosch for:

2.1.1 The **suspension of restrictive title deed conditions** in terms of Section 15(2)(f) of the said bylaw in order to regularize the existing buildings and pool and to regularize the flat roof of the patio; The restrictive title deed conditions (as held on page 2 & 3 in the title deed No. T37352/2022) to be suspended are conditions Clause A(II)(c) and Clause A(II)(i) which reads as follows:

a) Clause A(II)(c) – That no building or structure or any portion thereof except boundary walls and fences, shall be erected nearer than 20 feet to the street line which forms a boundary of this erf. No such building or structure shall be situated within 7 ½ feet of the lateral boundary common to any adjourning erf and the rear boundary of this erf.

b) Clause A(II)(i) – The roofs of all buildings on this erf must be uniform in regard to material and style; flat roofs for outside buildings and garages etc, will permitted only if the main building also has a flat roof.

2.1.2 **Permanent Departure** in terms of Section 15 (2) (b) of the said by-law to relax the common boundary building lines of;

a) 2.05m and 0.89m in lieu of 2.5m on the western boundary to accommodate the home lodging.

b) 1.89m and 1.94m in lieu of 2.5m on the eastern boundary to permit the existing dwelling house.

c) 2.04m and 2.49m in lieu of 2.5m on the southern boundary to accommodate the home lodging.

2.1.3 **Permission/Technical Approval** in terms of Section 15(2)(g) of the said bylaw in order to allow an existing domestic staff quarter to be used for home lodging purposes.

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 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.

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. The development be implemented in accordance with the Site Development Plan, referenced as drawing No: 1-6, project number: PP37/23, drawn by: Botha (pretplan building plans), dated Sept 2023.

3.4. The home lodging be limited to **one (1) bedroom** and a maximum of **one (1) lodger** shall be permitted at any one time.

3.5. Sufficient on-site parking be provided in accordance with the provisions of the Zoning Scheme Bylaw as illustrated on the site plan to the satisfaction of the Municipality.

3.6. Development contributions (DC's) are payable in accordance with the prevailing and applicable council tariffs at the time of payment prior to any building plan

approval in compliance with Development Contributions Calculations dated 05 August 2024 attached as **Annexure B**.

3.7. The conditions imposed by Directorate: Infrastructure Services as contained in their memo dated 05 August 2024 attached as **Annexure B**, be complied with.

3.8. 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).

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

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

4.2. The proposal is in line with the existing land use of the property and will not have I negative impact on the character of the surrounding area.

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.

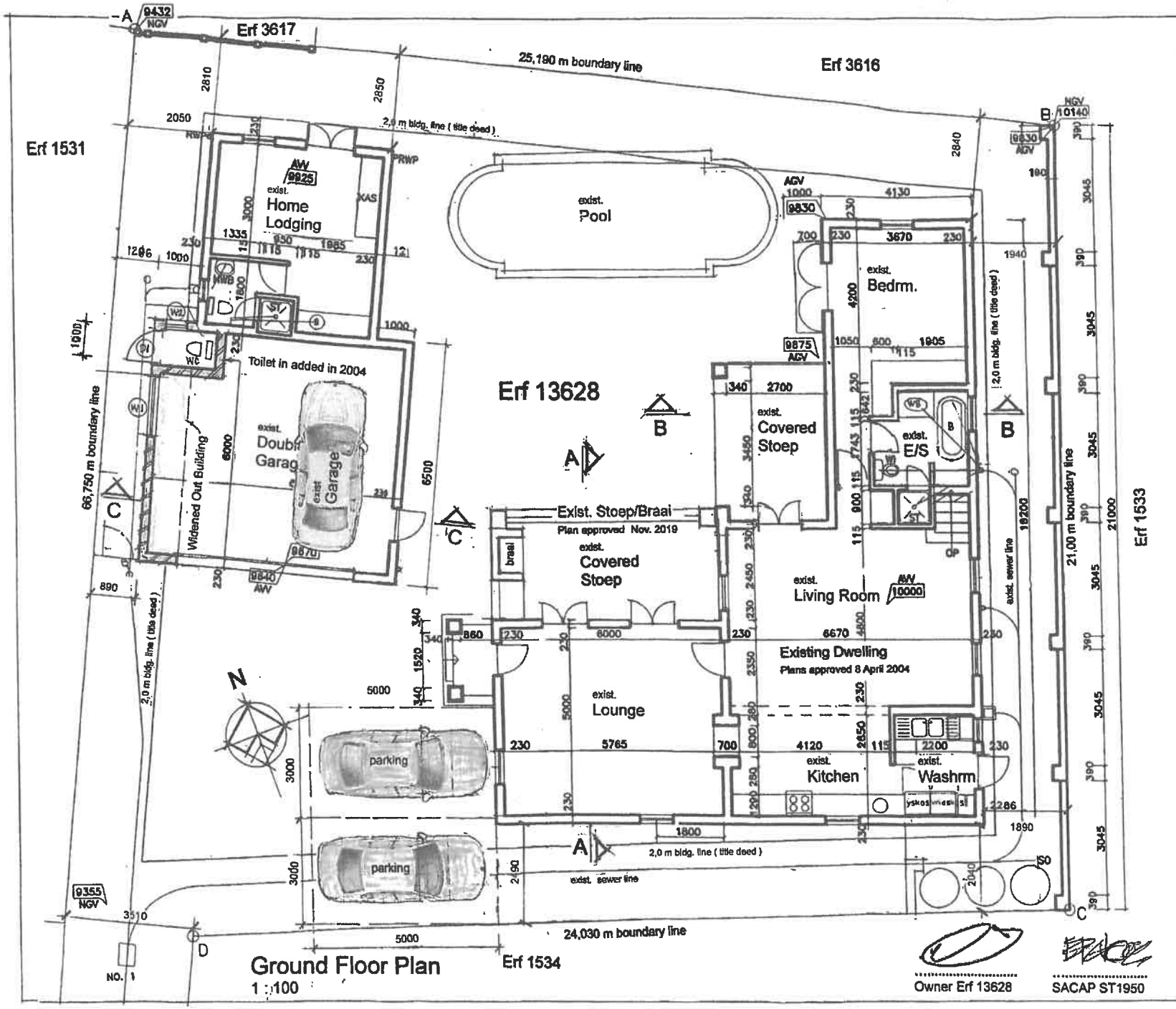
Yours faithfully

FOR DIRECTOR: PLANNING AND ECONOMIC DEVELOPMENT

12/2/2025
DATE

ANNEXURE A

SITE AND GROUND FLOOR



Total Bedrooms on Erf 13628

Dwelling Ground Floor	1
Out Bldg.	1
Dwelling First Floor	2
Total	4

Areas :

Erf 13628	744,00 sq.m.
Exist. Dwelling	
Ground Floor	160,00 sq.m.
First Floor	77,85 sq.m.
Exist. Out Bldg.	64,00 sq.m.
New addition	**6,50 sq.m.**
Foot Print	230,50 sq.m.
Total	308,35 sq.m.
Coverage	30,9% (45%)

pretplan
BOUPLANNE
BUILDING PLANS

Botha Pretorius
[redacted]

Project:

Dwelling Burgess
Alterations and Additions to exist. Dwelling on Erf 13628,
[redacted]
'As Built '

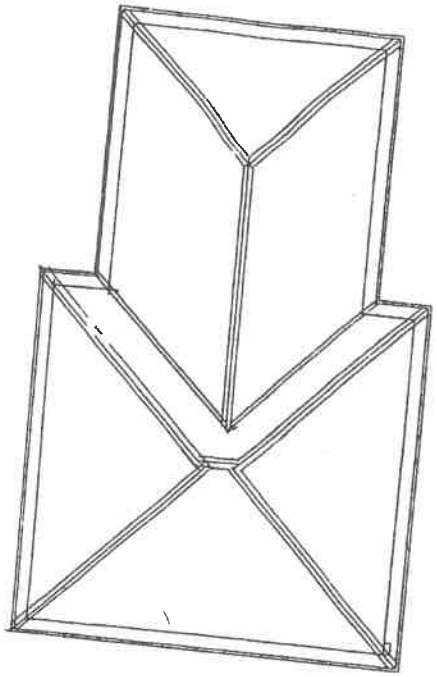
Sheet Description:

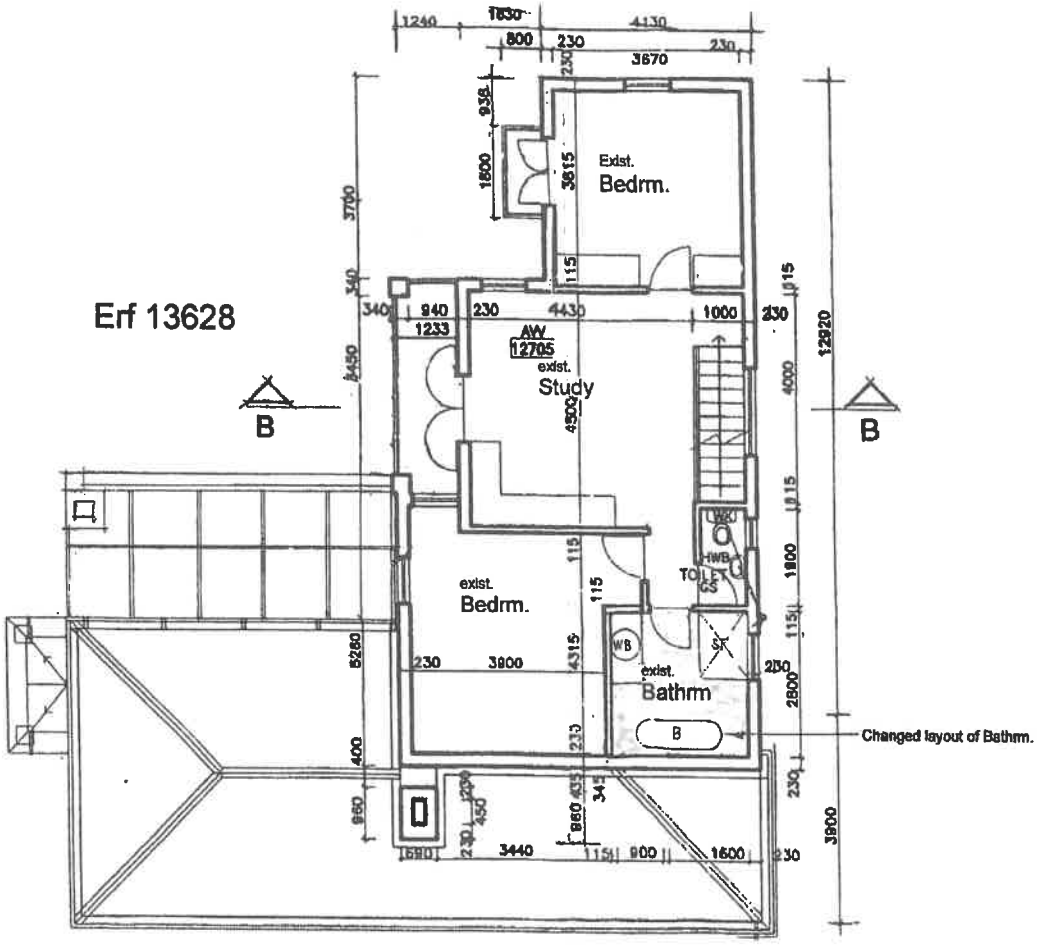
Ground Floor Plan

Owner Erf 13628

SACAP ST1950

Project number	PP37/23
	1
rev. 6 – July 2024	
Scale	1 : 100
Date	Sept. 2023
Drawn by	botha





N

First Floor Plan
1 : 100

Owner Erf 13628

SACAP ST1950

pretplan
BOUTIGANNE
BUILDING PLANS
Botha Pretorius
[redacted]

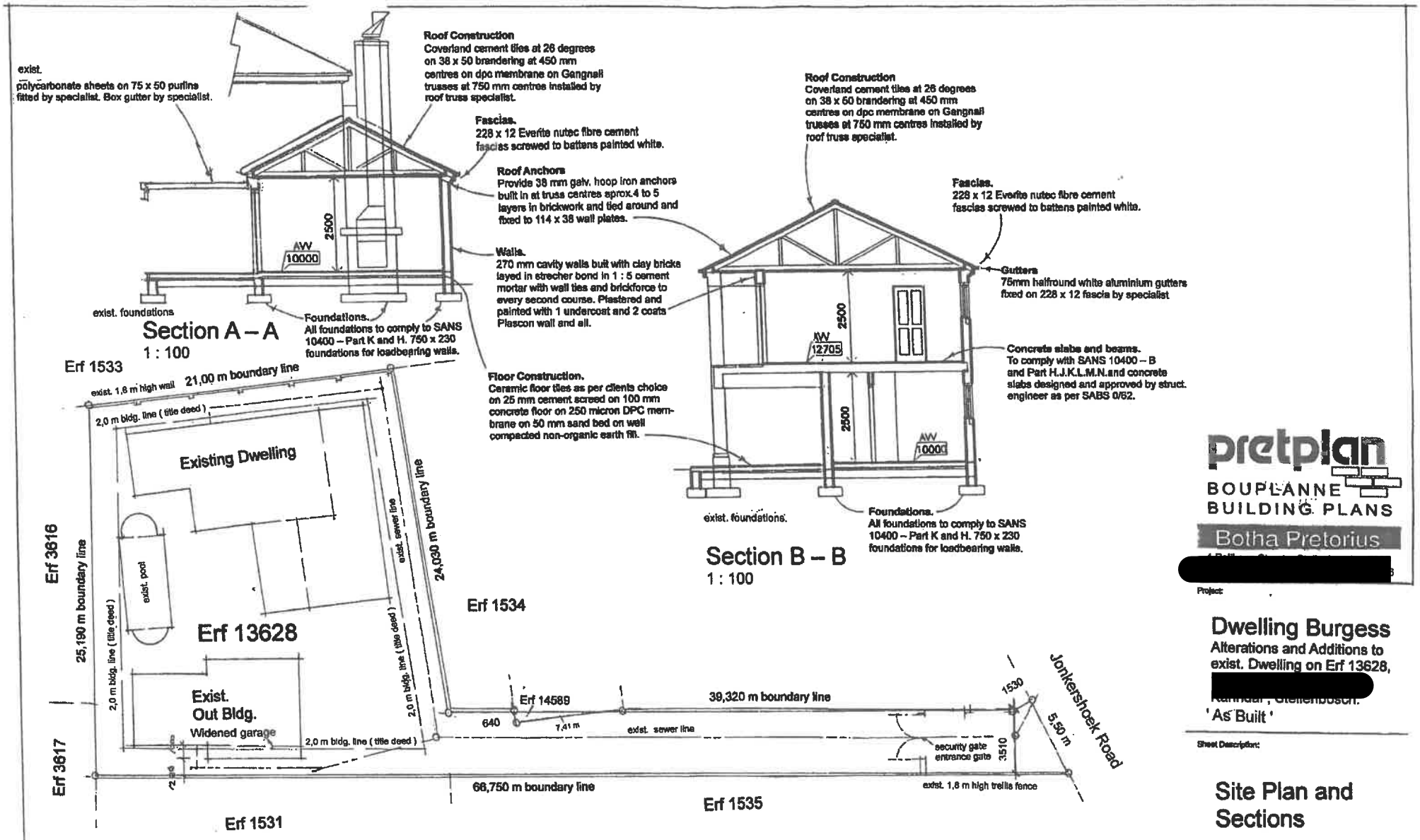
Dwelling Burgess
Alterations and Additions to exist. Dwelling on Erf 13628,
[redacted]

'As Built'

Sheet Description:

First Floor Plan

Project number PP37/23	Scale 1 : 100
2	Date Sept. 2023
rev. 8 – July 2024	Drawn by botha



pretplan
BOUPLANNE
BUILDING PLANS
Botha Pretorius
[redacted]

Project:

Dwelling Burgess
Alterations and Additions to exist. Dwelling on Erf 13628,
[redacted]
'As Built'

Sheet Description:

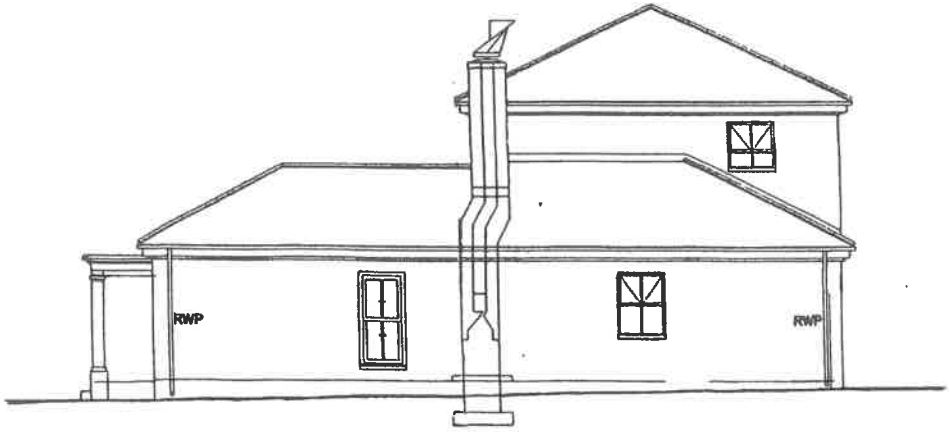
Site Plan and Sections

Owner Erf 13628

SACAP ST1950

Project number PP37/23	Scale 1 : 100
3	Date Sept. 2023
rev 8 – July 2024	Drawn by botha

North East Elevation
1 : 100



South West Elevation
1 : 100

pretplan
BOUTPLANNE
BUILDING PLANS
Botha Pretorius
[redacted]

Project:

Dwelling Burgess
Alterations and Additions to exist. Dwelling on Erf 13628,
[redacted]

'As Built'

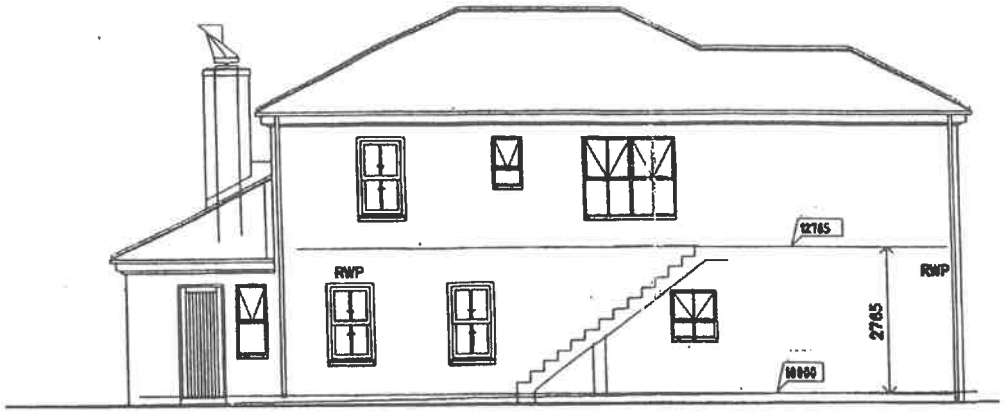
Sheet Description:

Elevations

Owner Erf 13628

SACAP ST1950

Project number PP37/23	Scale 1 : 100
4	Date Sept. 2023
rev 6 – July1 2024	Drawn by botha



South East Elevation
1 : 100

North West Elevation
1 : 100

pretplan
BOUPLANNE
BUILDING PLANS

Botha Pretorius
[redacted]

Project:

Dwelling Burgess
Alterations and Additions to
[redacted]
'As Built'

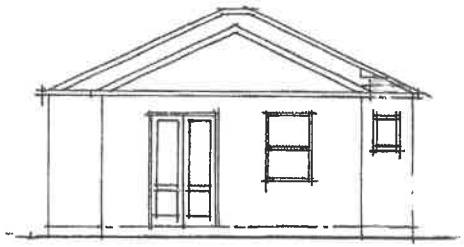
Sheet Description:

Elevations

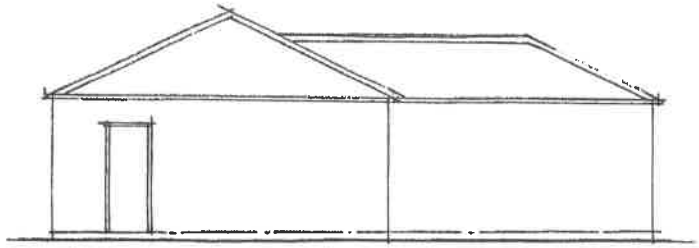
Owner Erf 13628

SACAP ST1950

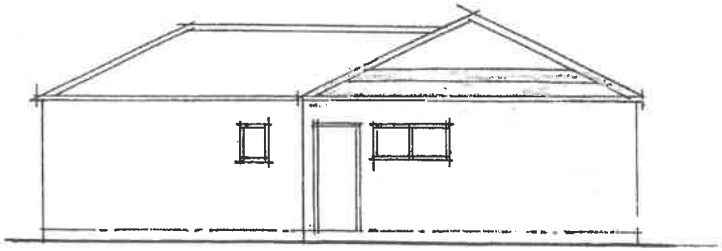
Project number PP37/23	Scale 1 : 100
5	Date Sept. 2023
rev. 6 – July 2024	Drawn by botha



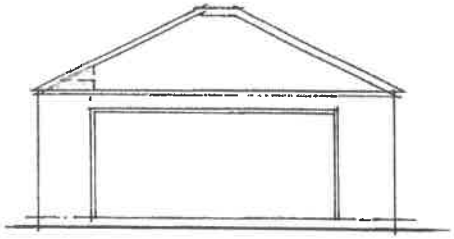
North East Elevation
1 : 100



South East Elevation
1 : 100



North West Elevation
1 : 100

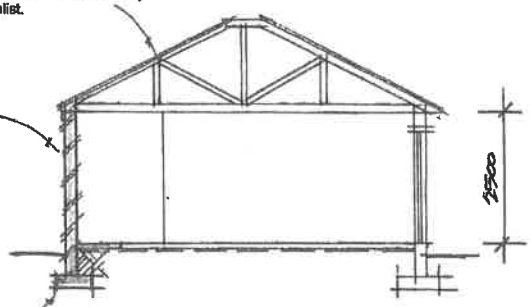


South West Elevation
1 : 100

exist.
Roof Construction
Coverland cement tiles at 26 degrees on 38 x 50 brandering at 450 mm centres on dpc membrane on Gangnail trusses at 750 mm centres installed by roof truss specialist.

exist.
Walls.
270 mm cavity walls built with clay bricks layed in strecher bond in 1 : 5 cement mortar with wall ties and brickforce to every second course. Plastered and painted with 1 undercoat and 2 coats Plascon wall and all.

exist.
Foundations.
All foundations to comply to SANS 10400 – Part K and H. 750 x 230 foundations for loadbearing walls.



Section C – C
1 : 100

pretplan
BOUPLANNE
BUILDING PLANS
Botha Pretorius
[redacted]

Project:
Dwelling Burgess
Alterations and Additions to
exist. Dwelling [redacted]628,
[redacted]
'As Built'

Sheet Description:
Out Building
Elevations and Section

Owner Erf 13628

SACAP ST1950

Project number	Scale
PP37/23	1 : 100
6	Date: Sept. 2023
rev. 6 – July 2024	Drawn by: botha

ANNEXURE B

COMMENT FROM: DIRECTOR: INFRASTRUCTURE SERVICES

STELLENBOSCH MUNICIPALITY

STELLENBOSCH·PNIEL·FRANSCHHOEK

MEMORANDUM

DIREKTORAAT: INFRASTRUKTUURDIENSTE
DIRECTORATE: INFRASTRUCTURE SERVICES

CIVIL ENGINEERING SERVICES

To ▫ Aan:	**Director: Planning + Economic Development**
Att Aandag:	**Bulelwa Mdoda**
From ▫ Van:	**Technician: Development (Infrastructure Services)**
Author ▫ Skrywer:	**Siyanda Sodo**
Date ▫ Datum:	**05 August 2024**
Our Ref ▫ Ons Verw:	**Civil LU 2739**
Town Planning Ref:	**LU/17025 TP667-2024**
Re ▫ Insake:	**Erf 13628, Stellenbosch: 1. Application in terms of section 15(2)(f) of the Stellenbosch Municipality By-Law on Municipal Land Use Planning, 2023 to suspend the following restrictive title deed condition on Erf 13628, Stellenbosch to permit dwelling house to be 1.940m and 1.890 from the eastern common boundary (lateral) and outbuilding to be 0.89m and 2.050 from the western common boundary (lateral), and 2.040m from the southern common boundary in lieu of 2.286m."- clause A(II)(c) of T37352/2022: That no building or structure or any portion thereof except boundary walls and fences, shall be erected nearer than 20 feet to the street line which forms a boundary of this erf. No such building or structure shall be situated within 7½ feet of the lateral boundary common to any adjoining erf and the rear boundary of this erf."**

2. Application in terms of section 15(2)(f) of the Stellenbosch Municipality By-Law on Municipal Land Use Planning, 2023 to suspend the following restrictive title deed condition on Erf 13628, Stellenbosch to permit outbuilding (stoep) to have a flat roof instead of a pitch roof."- clause A(II)(i) of T37352/2022: The roofs of all buildings on this erf must be uniform in regard to material and stle; flat roofs for outside buildings and garages etc, will be permitted only if the main building also has a flat roof"3. Application in terms of section 15(2)(b) of the Stellenbosch Municipality By-Law on Municipal Land Use Planning, 2023 for permanent departure to allow the relaxation of the 2.5m common building line to permit the domestic staff quarter to be 2.05m and 0,89m from the western common boundary, 1.94m and 1.89m from the eastern common boundary, 2.04m and 2.49m from the southern common boundary on Erf 13628, Stellenbosch.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 allow an existing domestic staff quarter to be used for home lodging purposes on Erf 13628, Stellenbosch.

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

1. Civil Engineering services

1.1 Water

The existing water connection must be utilized for the proposed development: no upgrade in the size of the connection will be allowed, unless agreed to by our Water Services Department.

1.2 Sewer

The existing sewer connection must be utilized for the proposed development: no upgrade in the size of the connection will be allowed, unless agreed to by our Water and Sewer Service Department

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. The final calculations will be determined at the building plan stage submission.

2.2 The DC's were calculated by using the 2024/2025 tariff structure. If DC's are paid after 30 June 2025 it will have to be recalculated by using the tariff structure and DC Policy principles applicable at date of payment.

2.3 The appropriate DC's are payable before building plan approval

Siyanda Sodo
Technician: Development (Infrastructure Services)

X:\2.0 DEVELOPMENT\01 Land Use applications\2739 (SS) Erf 13628 Stellenbosch (LU-17025 TP667-2024)\2739 () Erf 13628 Stellenbosch (LU-17025 TP667-2024).doc

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Stellenbosch Municipality

Development Charge Calculation

APPLICATION INFORMATION	
Application Number:	DC 2739 (SS) Erf 13628- Paarl (LU-17025 TP667-2024)
Development Name:	
Date:	05 August 2024
Financial Year:	2024/2025
Erf Location (Select from 7 Locations):	Stellenbosch Town
Erf Region (Select Urban or Rural):	Urban
Erf No. / Farm No.:	Erf 13628
DC Parameters Reference:	Proposed additional use on Erf 13628. Stellenbosch (Drawing no. PP37/23 of Page 1 - Drawing title floor plans , September 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:	0,22	0,18	0,004	0,015	3		1	
Total Service Usage Reduction:	0	0	0	0	0,0		0	
Total Service Usage after Reduction:	0,22	0,18	0,00400	0,015	3,0		1	
Charges before adjusting for positive only, before Deductions	R 6 894,31	R -	R 828,66	R 1 467,17	R 18 105,71	R 27 295,86	R 3 857,58	R 31 153,44
Charges adjusted for positive only, before Deductions	R 6 894,31	R -	R 828,66	R 1 467,17	R 18 105,71	R 27 295,86	R 3 857,58	R 31 153,44
Total Deductions:	R -	R -	R -	R -	R -	R -	R -	R -
Total Development Charges Payable (excluding VAT):	R 6 894,31	R -	R 828,66	R 1 467,17	R 18 105,71	R 27 295,86	R 3 857,58	R 31 153,44
VAT:	R 1 034,15	R -	R 124,30	R 220,08	R 2 715,86	R 4 094,38	R 578,64	R 4 673,02
Total Development Charges Payable (including VAT):	R 7 928,46	R -	R 952,96	R 1 687,25	R 20 821,57	R 31 390,24	R 4 436,21	R 35 826,45

APPLICANT INFORMATION	
Application Processed by:	Siyanda Sodo
Signature:	
Notes:	DC for 1 lodging room

Stellenbosch Town

	Land Use Category	Unit Type	Existing Usage			Proposed New Usage			Increased Usage	Development Charge Levied (excl VAT)								
	Description	Unit	Area (m2)	Unit Amount	Result	Area (m2)	Unit Amount	Result	Amount	Water	Sewer	Stormwater	Solid Waste	Roads & Transport	Sub Total (Civil Eng Services)	Community	Total	
										Yes	No	Yes	Yes	Yes		Yes		
Residential	Single Residential >1000m2	du							0	R -	R -	R -	R -	R -	R -	R -	R -	
	Single Residential >500m2	du							0	R -	R -	R -	R -	R -	R -	R -	R -	
	Single Residential >250m2	du							0	R -	R -	R -	R -	R -	R -	R -	R -	
	Single Residential <250m2	du							0	R -	R -	R -	R -	R -	R -	R -	R -	
	Second Dwelling	du							0	R -	R -	R -	R -	R -	R -	R -	R -	
	Less Formal Residential	du							0	R -	R -	R -	R -	R -	R -	R -	R -	
	Group Residential	du							0	R -	R -	R -	R -	R -	R -	R -	R -	
	Apartments	du							0	R -	R -	R -	R -	R -	R -	R -	R -	
	Retirement Village	du							0	R -	R -	R -	R -	R -	R -	R -	R -	
	Old age home	du							0	R -	R -	R -	R -	R -	R -	R -	R -	
Accommodation	Student Accommodation/Commune/Hostels	rooms							0	R -	R -	R -	R -	R -	R -	R -	R -	
	Guest House	rooms					1		1	R 6 894,31	R -	R 828,66	R 1 467,17	R 18 105,71	R 27 295,86	R 3 857,58	R 31 153,44	
	Converted Guest House	rooms							0	R -	R -	R -	R -	R -	R -	R -	R -	
	Hotel, Residential	rooms							0	R -	R -	R -	R -	R -	R -	R -	R -	
Commercial	General Business	m2 GLA							0	R -	R -	R -	R -	R -	R -	R -	R -	
	Office	m2 GLA							0	R -	R -	R -	R -	R -	R -	R -	R -	
	Retail/Shop	m2 GLA							0	R -	R -	R -	R -	R -	R -	R -	R -	
	Restaurant	m2 GLA							0	R -	R -	R -	R -	R -	R -	R -	R -	
	Outdoor Function / Picnic Area	persons							0	R -	R -	R -	R -	R -	R -	R -	R -	
	Conference,Facility/Place of assembly	m2 GLA							0	R -	R -	R -	R -	R -	R -	R -	R -	
	Hospital/Clinic/Medical Rooms	m2 GLA							0	R -	R -	R -	R -	R -	R -	R -	R -	
	University/College	student							0	R -	R -	R -	R -	R -	R -	R -	R -	
	School/Day Care	student							0	R -	R -	R -	R -	R -	R -	R -	R -	
Industrial	Industrial - light	m2 GLA							0	R -	R -	R -	R -	R -	R -	R -	R -	
	Industrial - heavy	m2 GLA							0	R -	R -	R -	R -	R -	R -	R -	R -	
	Warehousing/Light Manufacturing	m2 GLA							0	R -	R -	R -	R -	R -	R -	R -	R -	
	Storage Facilities	unit							0	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 -	
	Roads and Parking	ha							0,0000	R -	R -	R -	R -	R -	R -	R -	R -	
Other	To be calculated	n/a							0,0000	R -	R -	R -	R -	R -	R -	R -	R -	
	(Based on equivalent demands)	n/a							0	R -	R -	R -	R -	R -	R -	R -	R -	
		Total Area:	0		Total Area:	0												

	Charges before adjusting for positive only, before Deductions	R 6 894,31	R -	R 828,66	R 1 467,17	R 18 105,71	R 27 295,86	R 3 857,58	R 31 153,44	
Deduct	Charges adjusted for positive only, before Deductions	R 6 894,31	R -	R 828,66	R 1 467,17	R 18 105,71	R 27 295,86	R 3 857,58	R 31 153,44	
	Deductions per service (from usage reductions)	R -	R -	R -	R -	R -	R -	R -	R -	
	Discount Deduction (%) Percentage: 0,00%	R -	R -	R -	R -	R -	R -	R -	R -	
	Additional Deduction per service - from Service Agreement (sum)	R -		R -	R -	R -	R -	R -	R -	
Totals	Sub Total after Ajustments and Deductions (excluding VAT)	R 6 894,31	R -	R 828,66	R 1 467,17	R 18 105,71	R 27 295,86	R 3 857,58	R 31 153,44	
	VAT	R 1 034,15	R -	R 124,30	R 220,08	R 2 715,86	R 4 094,38	R 578,64	R 4 673,02	
	Total Development Charges	R 7 928,46	R -	R 952,96	R 1 687,25	R 20 821,57	R 31 390,24	R 4 436,21	R 35 826,45	

ERF 13628

1. No Objection

CONDITIONS:

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2. Appropriate caution shall be taken during construction, to prevent damage to existing service-cables and electrical equipment in the vicinity. Should damage occur, the applicant will be liable for the cost involved repairing damages.
3. **All electrical work to comply with SANS142 and Municipal electrical by-laws**

Bradley Williams

Date.....03/9/2024.....

Signiture