



STELLENBOSCH
STELLENBOSCH • PNIEL • FRANSCHHOEK
MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

Application Number: LU/18816 (TP1113/2025)

Our File Reference Number: Erf 8789, Stellenbosch

Your Reference Number:

Enquiries: Ulrich von Molendorff

Contact No: 021 – 808 8682

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

PER E-M

Sir/Madam

APPLICATION FOR PERMANENT DEPARTURE, CONSENT USE AND PERMISSION REQUIRED IN TERMS OF THE ZONING SCHEME: ERF 8789, 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 8789, Stellenbosch for:

2.1.1 **Technical approval / permission** in terms of Section 15(2)(g) of the said bylaw to construct a second dwelling.

2.1.2 **Consent Use** in terms of Section 15(2)(o) of the said bylaw to use the proposed second dwelling as a commune (**5 persons**).

2.1.3 **Permanent departure** in terms of Section 15(2)(b) of the said bylaw to permit a relaxation of the building lines from **1m** to **0m** from the common building line (adjoining Erf 8790) to accommodate the new braai area.

BE REFUSED in terms of Section 60 of the said Bylaw.

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

3.1 The proposal is in conflict with the applicable Stellenbosch By-laws and policies, as section 50(1) of the said bylaw stipulates that no more than two dwelling units are permitted on any land unit within the Conventional Residential Zone.

3.2 The applicant has misrepresented the submitted Site Development Plan, particularly in relation to the existence of an unapproved second dwelling on the ground floor, the subject property only has an approval for additions and amendments to the existing house.

3.3 A portion of the existing dwelling has been unlawfully converted into a second dwelling and is currently being utilized for student accommodation purposes without the required consent use approval.

4. 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.

5. 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.

6. **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**

7. 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.

8. 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.

9. 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:

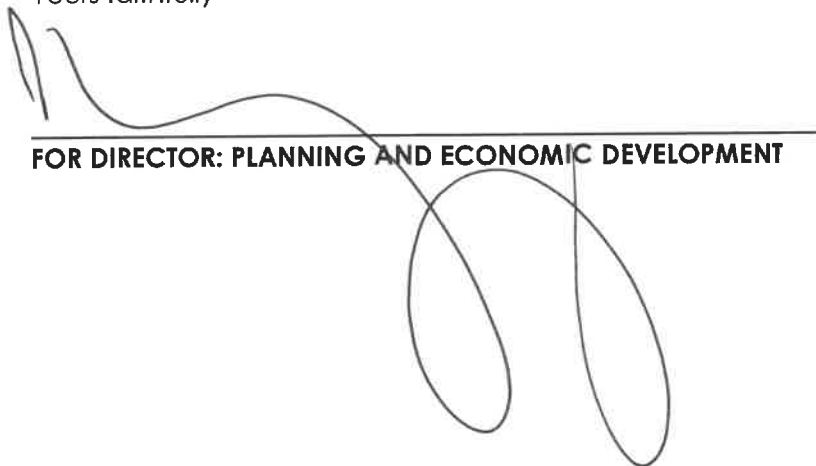
(a) Simultaneously serve the appeal on any person who commented on the application concerned and any other person as the municipality may determine.

- (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.

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

11. 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 a series of loops and curves, is written over a horizontal line.

FOR DIRECTOR: PLANNING AND ECONOMIC DEVELOPMENT

31/10/2025
DATE

COPIES TO:

1) [Redacted]

2) [Redacted]