STELLENBOSCH
STELLENBOSCH • PNIEL • FRANSCHHOEK
MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

Application Number: LU/19343 (TP1243/2025)
Our File Reference Number: Erf 2252, 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 REMOVAL OF RESTRICTIVE TITLE DEED CONDITIONS AND DEPARTURES: ERF 2252, 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 applications in terms of Section 15(2) of the Stellenbosch Municipality Bylaw on Municipal Land Use Planning, 2023 on Erf 2252, Stellenbosch for the following:

2.1.1. The **removal of the restrictive title deed conditions** in terms of Section 15(2)(f) of the said bylaw of Clauses C.1 & C.5 as contained in Title Deed Nr T. 80179/2024 in order to construct a block of flats. The restrictions to be removed reads as follows:

i. Clause C.1 *"The above lot shall be utilised for residential purposes only, and only one residence shall be erected on the above lot, provided, however, that a semi-detached, residence may be erected and the above lot subject to the conditions of Clause 4 hereof".*

ii. Clause C.5 *"All buildings shall be erected not less than 20 feet from the front of street boundary line of the lot, and not less than 10 feet from the side and back boundary of this lot".*

2.1.2. **Departure** in terms of Section 15(2)(b) of the said by-law on Erf 2252, Stellenbosch, for the following:

a) to relax the street building line from 4,5m to 0m in order to accommodate the proposed entrance gate structure,

b) to relax the second storey common building lines from 6m to 4,5m in order to allow the proposed block of flats,

c) for the under-provision of the parking requirements applicable for flats, in order to provide twenty-eight (28) on-site parking bays, six (6) bicycle parking and four (4) motorcycle parking in lieu of forty-two (42).

**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 **condition**s imposed in terms of Section 66 of the said Bylaw:

2.2.1. The approval only applies to the 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.

2.2.2. 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.

2.2.3. The development and building plans be undertaken generally in accordance with the plans as referenced:

a) ***Ground Storey Plan*** – *Drawing Nr. M—24-28-pla-01-rev03, dated November 2025, drawn by Schabort associates Architects.*

b) ***First Floor Plan*** – *Drawing Nr. M—24-28-pla-02-rev03, dated November 2025, drawn by Schabort associates Architects.*

c) ***Second Floor Plan*** - *M—24-28-pla-02-rev03, dated November 2025, drawn by Schabort associates Architects.*

d) ***Site plan & Elevations*** - *Drawing Nr. M—24-28-pla-06, dated November 2025, drawn by Schabort associates Architects.*

e) ***Landscaping Plan –*** *Drawing Nr. M—24-28-gen14-rev03, dated February 2026, drawn by Schabort associates Architects.*

2.2.4. Landscaping be implemented as per Landscaping Plan referred to in 2.2.3(e) above prior to occupancy certificate being issued.

2.2.5. The conditions relating to infrastructure services imposed by the Directorate Infrastructure Services contained in the memorandum dated 15 September 2026, and attached as **Annexure B**, be complied with to the satisfaction of the said department.

2.2.6. Development charges are payable in accordance with the prevailing and applicable Council Tariffs at the time of payment prior to approval of any building plans, whichever occurs first to the satisfaction of the Directorate Infrastructure Services.

2.2.7. The boundary walls must comply with Section 86 of the Stellenbosch Zoning Scheme Bylaw, 2019.

2.2.8. A contravention penalty in accordance with the prevailing and applicable Council Tariffs in respect of the unlawful utilisation of land is payable within 30 days from the date of final notification that the approval comes into operation and prior to the approval of any building plan.

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

2.3.1. The proposal is in line with the Stellenbosch Municipal Spatial Development Framework as it is seen as a form of densification that contributes to the sustainable use of land and infrastructure within existing urban areas.

2.3.2. The proposed development is consistent with the land use rights afforded to the property in terms of the Stellenbosch Municipality Zoning Scheme By-Law, 2019.

2.3.3. The proposal would be of an appropriate scale that would relate to the surrounding townscape and land use character of the area.

2.3.4. The proposed departures are not anticipated to have a detrimental impact on the adjoining properties or the surrounding environment, due to the minor nature of the encroachments.

2.3.5. The removal of the restrictive title conditions applicable to the subject property is not anticipated to have a negative impact on the residential character or integrity of the surrounding area, as it is consistent with the prevailing character of the locality.

2.3.6. The location of the proposed development provides residents and visitors with opportunities to access these destinations without being entirely dependent on private motor vehicles.

2.4. **Matters** to be noted:

2.4.1. Building plans must be submitted and approved by the Municipality prior to the commencing of any building works.

2.4.2. The applicant, after publication of a notice in the Provincial Gazette to apply to the Registrar of Deeds to make appropriate entries in, and endorsements on, any relevant register or title deed to reflect the removal, suspension or amendment of the restrictive conditions.

3. You are hereby informed of your **right to appeal in terms of Section 79(2)** of the Stellenbosch Municipal Land Use Planning By-law. The appeal 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. Appeals must be addressed to the Municipal Manager and submitted to the following email address: landuse.appeals@stellenbosch.gov.za.

4. Notwithstanding the above, kindly note, you are not permitted to submit a revised proposal as part of such an appeal. Should this be the case, your submission will not be regarded as an appeal, but rather a new application which should be submitted on the manner prescribed, as only the above decision can be appealed at this stage.

5. Any party (applicant or other) who lodges a Section 79(2) 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 approved tariff structure and the banking details for the General Account can be accessed and viewed on the municipal website. The LU and/or TP Reference number on this correspondence must be used as the reference for the payment of the appeal fee.

6. An applicant who lodges a Section 79(2) 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.

7. All appeals must be submitted to the authorised Appeal Authority **within 21 days** from the date of notification of the above decision. Note that no late appeals or an extension of time for the submission of appeals is permitted.

8. The appeal form can be accessed on the municipal website. For any enquiries relating to appeals, the Land Use Management office can be contacted at 021 – 808 8684 or landuse.appeals@stellenbosch.gov.za

9. 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.

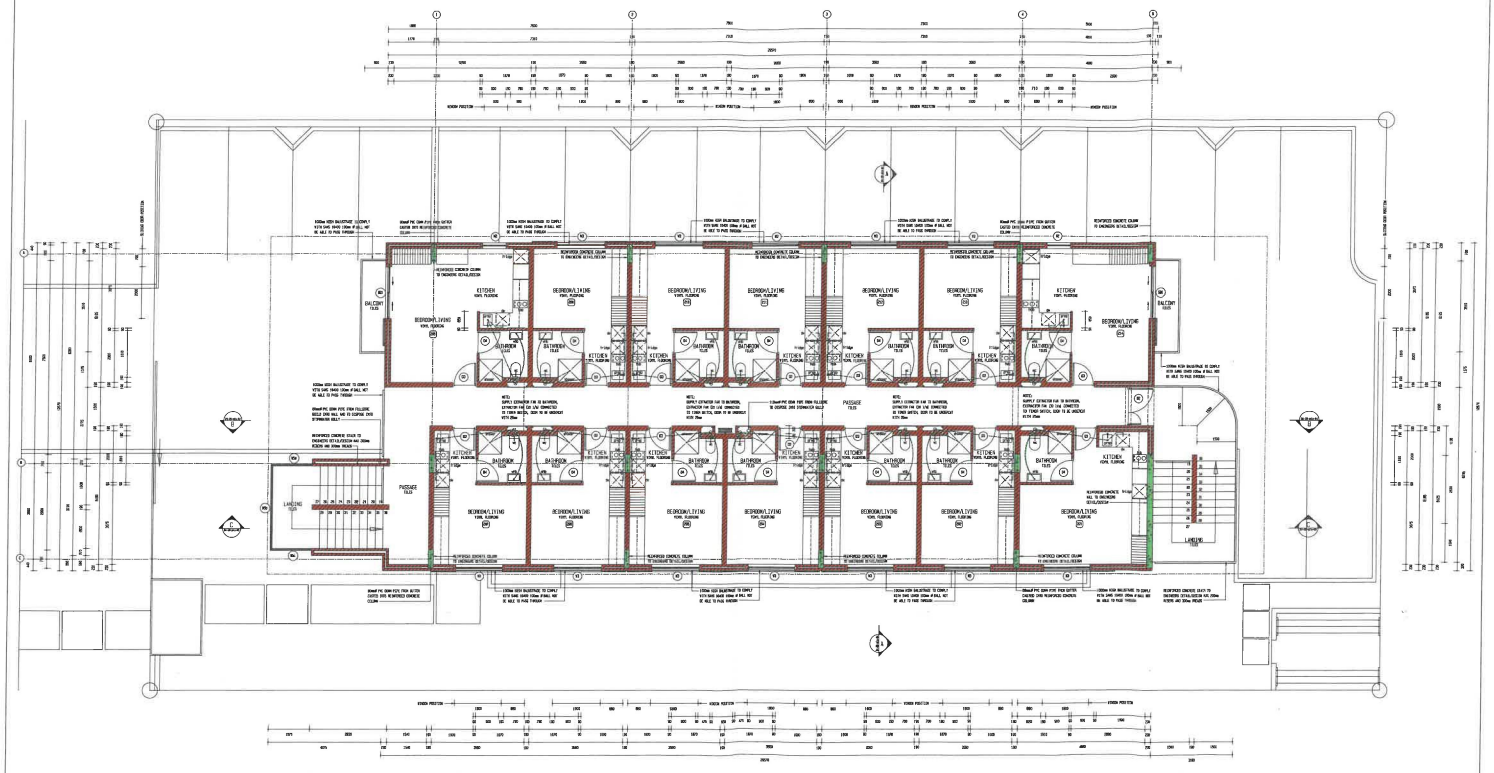
Yours faithfully

**FOR DIRECTOR PLANNING AND ECONOMIC DEVELOPMENT**

27-10-2026

**DATE**

Annexure A
Building Plan



SECOND STOREY PLAN 1:100

NOTES

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REVISIONS

| | | |
|---|---|---|
| 01 | 09/11/23 | CHANGE DESCRIPTION OF BUILDING TO APARTMENT BLOCK |

[redacted]

AS-BUILT DRAWINGS FOR APARTMENT BLOCK ON ERF 2252, STELLENBOSCH

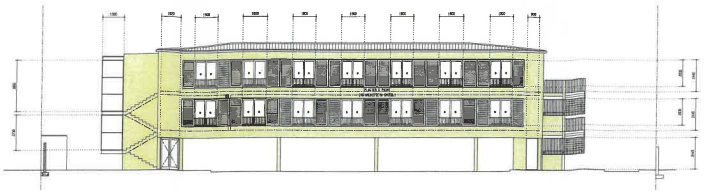
SECOND STOREY PLAN

FOR COUNCIL SUBMISSION

| | |
|---|---|
| FILE | 4-24-29-plo-02-rev03 |
| SCALE | 1:50 |
| DRAWN | AVZ |
| CHECKED | |
| DATE | NOV 2025 |
| DRAWING | m-24-29-pla-03-rev03 |



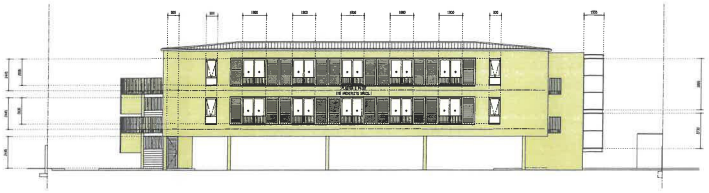
SOUTH WEST ELEVATION 1:100



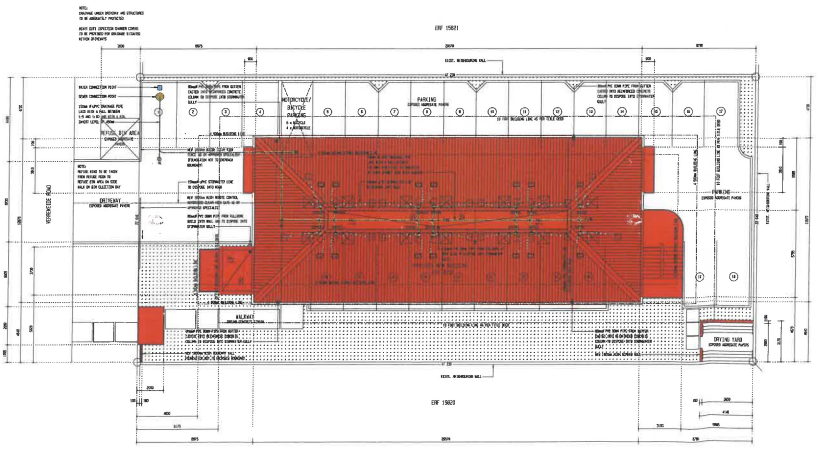
SOUTH EAST ELEVATION 1:100



NORTH EAST ELEVATION 1:100

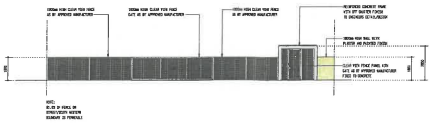


NORTH WEST ELEVATION 1:100




— LANDSCAPED AREA = 226.9m² (22%)

SITE PLAN 1:100



STREET/SOUTH WEST ELEVATION (BOUNDARY FENCE) 1:100

NOTES

APARTMENT BLOCK DEVELOPMENT DATA:

| | | |
|---|---|---|
| TOTAL ERF AREA: | | 1045.13m² |
| MAX. COVERAGE: 50% | = | 522.56m² |
| ACTUAL COVERAGE: | = | 414.19m² (39.63%) |
| MAX. FLOOR AREA/BULK: 75% | = | 783.85m² |
| ACTUAL FLOOR AREA/BULK: | = | 782.05m² (74.8%) |
| MIN. LANDSCAPED AREA: 25% | = | 226.02m² |
| ACTUAL LANDSCAPED AREA: | = | 226.94m² (22%) |

PARKING REQUIRED:

| | | |
|---|---|---|
| 1.0 BAY PER UNIT | = | 28 BAYS |
| 0.5 VISITORS BAY'S PER UNIT | = | 14 BAYS |
| TOTAL | = | 42 BAYS |
| PARKING PROVIDED: | = | 28 BAYS |
| 8 x BICYCLE | = | 1 BAY |
| 4 x MOTORCYCLE | = | 1 BAY |
| TOTAL | = | 30 BAY'S |

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REVISIONS

| NO | DATE | DETAILS |
|---|---|---|

[redacted]

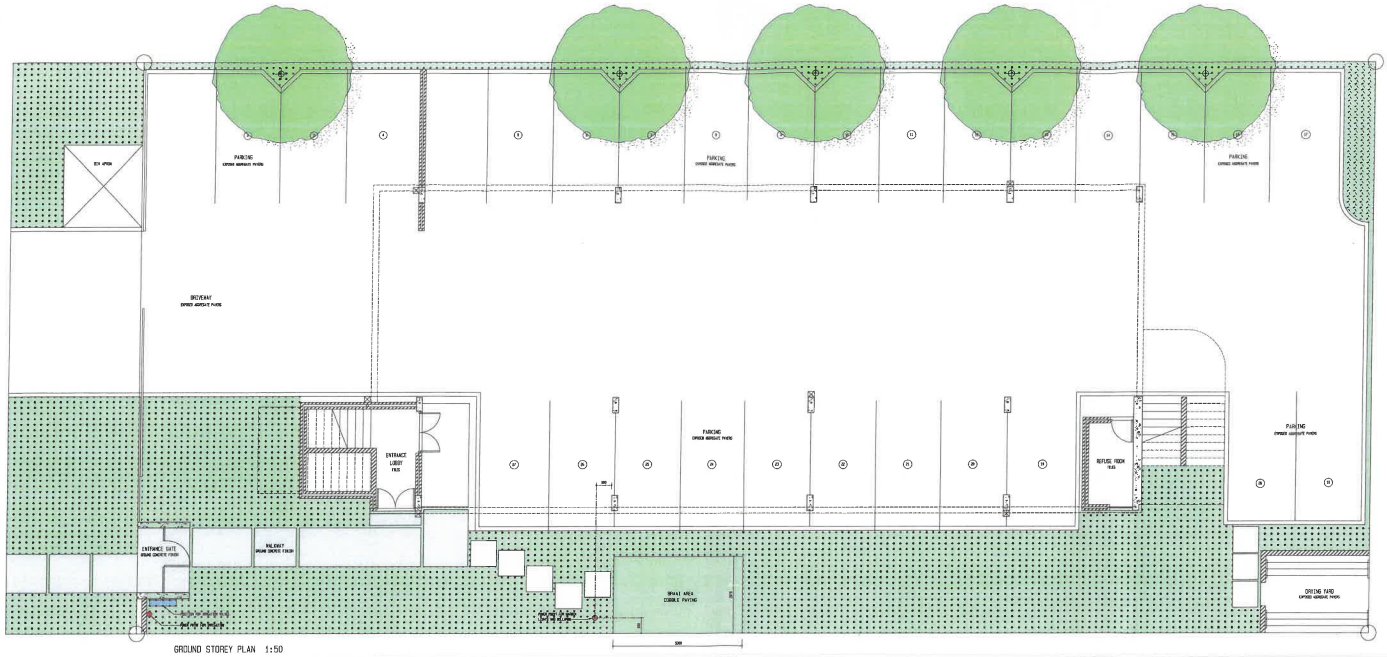
AS-BUILT DRAWINGS FOR APARTMENT BLOCK ON ERF 2262, STELLENBOSCH

DESCRIPTION

ELEVATIONS SITE PLAN

FOR COUNCIL SUBMISSION

| | |
|---|---|
| JOB NO. | 24-09-pla-09-rev03 |
| SCALE | 1:100 |
| DRAWN | AFZ |
| CHECKED | |
| TITLE | |
| DATE | NOV. 2025 |
| DRAWING | 24-09-pla-09-rev03 |




GROUND STOREY PLAN 1:50

GENERAL NOTES:

- THE DRAWING SHOULD BE READ TOGETHER WITH THE DIFFERENT ARCHITECTURAL DRAWINGS FOR MORE INFORMATION REGARDING THE PARKING
- SHRUB CONTAINER SIZE: 6-PACK TO 4 LITRE
- GROUNDCOVER CONTAINER SIZE: 6-PACK
- TREE CONTAINER SIZE: 50-100 LITRE
- LAWN: ROLL-ON / HYDROSEEDING

IRRIGATION

- INSTALL 110mm² uPVC SABS IRRIGATION SLEEVE AT ALL WALKWAY AND ROAD CROSSINGS
- ALL SLEEVES TO BE INSTALLED APPROX. 500mm BELOW GROUND LEVEL AND CLEARLY MARKED
- ALL SLEEVES SHOULD EXTEND A MIN. OF 200mm INTO LANDSCAPED AREA

PLANT LIST:

SHRUBS & GROUND COVERS:
4 LITERS OR 6 PACK SIZE

MIX 1:
- COTYLEDON ORBICULATA (3 PLANTS/m²)
- DIETES GRANDIFLORA (4 PLANTS/m²)
- LAMPRANTHUS ESPECTABUS (5 PLANTS/m²)
- OSTEOSPERMUM SPP (5 PLANTS/m²)
- PLECTRANTHUS SPP (5 PLANTS/m²)

— LANDSCAPED AREA = 220.0m² (22%)

LEGEND

— WALKWAY CONCRETE FINISH

— EXPOSED AGGREGATE PAVER

— SOFT LANDSCAPING (MIX 1 AS PER PLANT LIST)

— WATER PEAR TREE (EXISTING SURROUNDED)

TREE STAKING DETAIL

- ON ALL CASES, STAKES TO EXTEND MIN 0.5m IN UNDISTURBED SOIL AT PLACE ON A TREE PIT AT A DEPTH OF 300mm PRIOR TO THE PLANTING OF THE TREE
- THE CONTRACTOR SHALL ENSURE THAT THE TREE GROWING MEDIUM IS FREE OF ALL BUILDING RUBBLE AND CONCRETE PRIOR TO THE STAKE BEING PLACED IN POSITION
- STAKES SHALL BE STAKED WITH 50mm x 75-100mm Ø CCA (OR) TREATED TIMBER STAKE SET IN HOLE, FIXED WITH GALVANIZED NAILS
- TREES SHALL BE ATTACHED TO THE STAKES SHALL WITH APPROVED TREE TIES AND ENSURE THAT THE STAKES SHALL DO NOT DAMAGE THE TREE
- THE STAKES SHALL BE PLACED FROM WORK GROUND LEVEL AND 450mm BELOW THE TOP OF THE STAKE
- THE CONTRACTOR SHALL ENSURE THAT THE MAIN LEADER IS TIED TO THE STAKE FIRMLY AND LATERAL BRANCHES ARE FREE
- ALL DEVIATIONS SHALL BE EXPRESS SENT TO SURFACE SATISFACTION OF THE ARCHITECT

TYPICAL TREE STAKE SECTION 1:50

NOTES

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REVISIONS

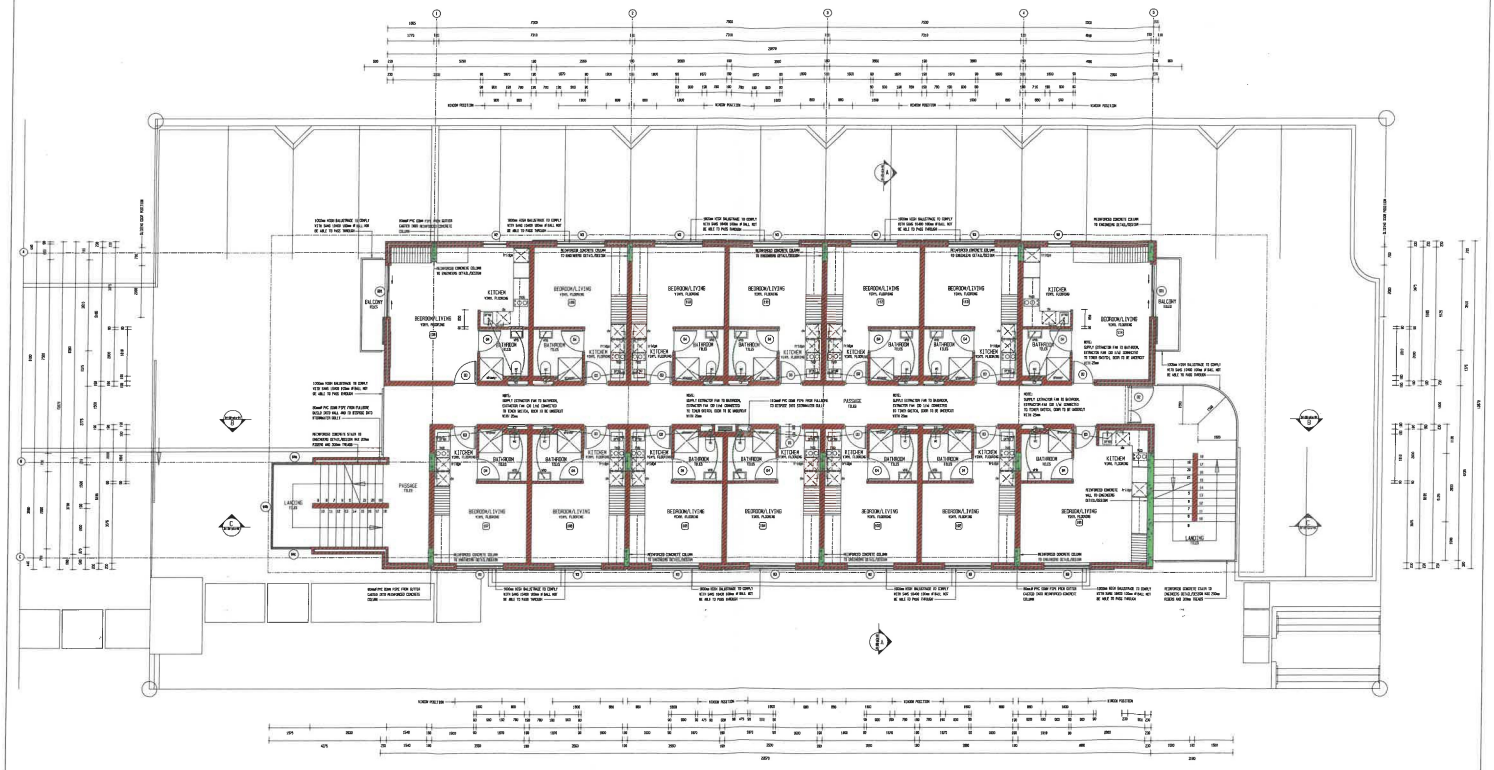
[redacted]

DESCRIPTION: AS BUILT DRAWINGS FOR APARTMENT BLOCK ERF 2252, STELLENBOSCH

LANDSCAPING PLAN

FOR MUNICIPAL SUBMISSION

| | |
|---|---|
| FILE: 9-24-28 gen-z-rev03 | ITEM: |
| SCALE: 1:50 | DATE: FEB 2025 |
| DRAWN: AKT | DRAWING: 9-24-28-gen-14-rev03 |
| CHECKED: | |



FIRST STOREY PLAN 1:50

NOTES

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REVISIONS

| NO | DATE/DES | DRAWING DESCRIPTION OF BUILDING TO UNIVERSE BLOCK |
|---|---|---|
| | | |

[redacted]

PROJECT

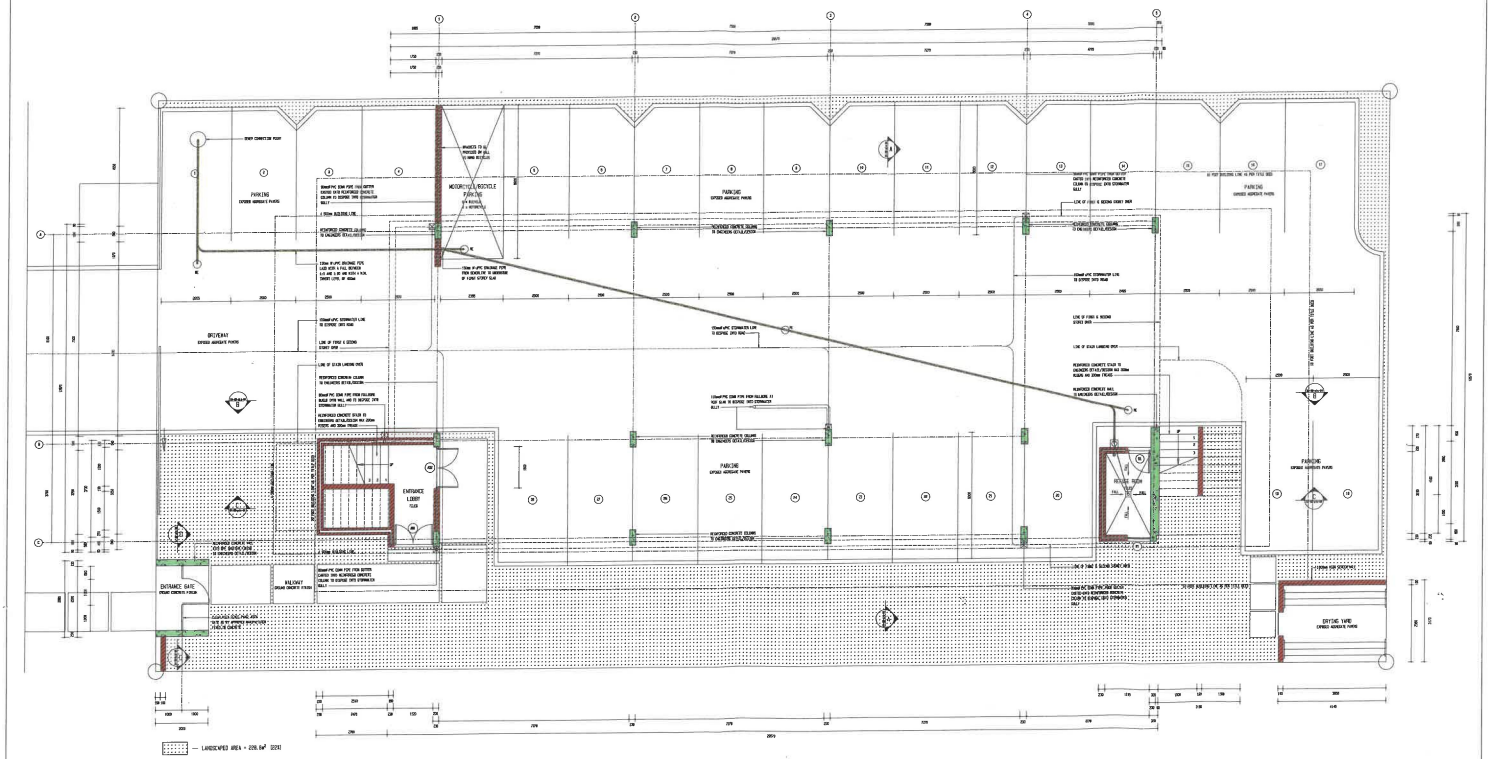
AS-BUILT DRAWINGS FOR APARTMENT BLOCK ON ERF 2252, STELLENBOSCH

DESCRIPTION

FIRST STOREY PLAN

FOR COUNCIL SUBMISSION

| | |
|---|---|
| FILE | 4-24-20-a1a-02-rev2 |
| ITEM | |
| SCALE | 1:50 |
| DATE | NOV. 2025 |
| DRAWN | KYZ |
| DRAWING | 4-24-26-paa-02-rev02 |
| CHECKED | |




— LANDSCAPED AREA = 228.84² (22%)

GROUND STOREY PLAN 1:50

NOTES

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REVISIONS

| NO | REVISED | DESCRIPTION OF REVISION TO APPROVED PLANS |
|---|---|---|

[redacted]

PROJECT: AS-BUILT DRAWINGS FOR APARTMENT BLOCK ON ERF 9262, STELLENBOSCH

DESCRIPTION: GROUND STOREY PLAN

FOR COUNCIL SUBMISSION

| | |
|---|---|
| JOB NO | 6-24-28-sla-01-rev03 |
| ITEM | |
| SCALE | 1:50 |
| DATE | NOV. 2025 |
| DRAWN | ATZ |
| DRAWING NO | m-24-28-pla-01-rev03 |
| CHECKED | |

Annexure B:
Comments from Infrastructure Services

# STELLENBOSCH MUNICIPALITY

STELLENBOSCH·PNIEL·FRANSCHHOEK

# MEMORANDUM

**DIREKTORAAT: INFRASTRUKTUURDIENSTE**
**DIRECTORATE: INFRASTRUCTURE SERVICES**

**CIVIL ENGINEERING SERVICES**

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| | |
|---|---|
| **To ▫ Aan:** | **Director: Planning + Economic Development** |
| **Att Aandag:** | **Nolusindiso Momoti** |
| **From ▫ Van:** | **Shane Chandaka Director (Infrastructure Services)** |
| **Date ▫ Datum:** | **15 Sept 2026** |
| **Our Ref ▫ Ons Verw:** | **Civil LU 3166** |
| **Town Planning Ref:** | **LU/19343 – TP1243/2025** |
| **Re ▫ Insake:** | **Erf 2252, Stellenbosch: Application is made in terms of Section 15(2) of the Stellenbosch Municipality Bylaw on Municipal land use planning, 2023 for the following:1.1 removal/suspension of restrictive tile deed conditions No. C.1 & C.5 in terms of Section 15.(2)(f) of the said bylaw to allow a block of flats and to accommodate the proposed structures exceeding the title deed building lines. the restrictive title deed conditions to be removed read as follows:C.1 The above lot shall be utilised for residential purposes only, and only one residence shall be erected on the above lot, provided, however, that a semi-detached, residence may be erected an the above lot subject to the conditions of Clause 4 hereof.C.5 All buildings shall be erected not less than 20 feet from the front of street boundary line of the lot, and not less than 10 feet from the side and back boundary of this lot.** |

**1.2 a departure in terms of Section 15(2)(b) of the said bylaw for the following:1.2.1 to relax the street building line from 4,5m to 0m in order to accommodate the proposed entrance gate structure on Erf 2252, Stellenbosch1.2.2 to relax the second storey common building lines from 6m to 4,5m in order to allow the proposed block of flats on Erf 2252, Stellenbosch1.2.3 for the under-provision of the parking requirements applicable for flats, in order to provide 28 on-site parking bays in lieu of 42.**

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The application is recommended for approval, however the following should be noted.

**1. Water**

1.1 The proposed development on Erf 2252, 15 Verreweide Street, Die Weides, Stellenbosch, falls within the Central Distribution Area and is supplied from the Idas Valley No. 2 Reservoir System. According to the Stellenbosch Water Master Plan, the Central Distribution Area, comprising the Idas Valley No. 2 and Rosendal Reservoirs, is already operating under significant capacity constraints, with the following deficits identified:

- Central (Idas Valley No. 2 & Rosendal Reservoirs): the capacity available is 31 hours (48 hours is required)

1.2 The proposed development will increase potable water demand through the addition of 28 studio apartments. Replacing the existing 15 bedroom commune. Although the units are intended for single occupancy, the cumulative increase in domestic water demand will place additional pressure on an already constrained bulk water supply system.

1.3 The Stellenbosch Water Master Plan identifies a number of strategic infrastructure upgrades required before additional capacity becomes available within this supply zone, including:

- Construction of the new 30 ML Helshoogte Reservoir to augment storage capacity for the Central Distribution Area.

- Upgrades to the Idas Valley Water Treatment Works (WTW).
- Implementation of additional bulk water augmentation projects identified in the Water Master Plan, including SSW.B10, SSW.B11, SSW.B19 and SSW.B35.

**2. Roads (Comments received from the Roads, Transport and Stormwater Department)**

2.1 The request for the under-provision of parking is not supported – in terms of our council approved zoning scheme regulations, the parking requirements for a 1- & 2-bedroom suite is 1,5 bay/dwelling of which the applicant do acknowledge in his motivational letter.

2.2 In terms of the Stellenbosch Municipality's Zoning Scheme By-Law of 2019, the shortfall of parking bays can be accommodated as followed:

- A 10% of the total minimum parking requirements maybe provided in the form of bicycles and\or motorbikes parking facilities (6x bicycles = 1x vehicle parking and/or 4x motorbike parking = 1x vehicle parking bay) depending on the applications; and if there is still a parking shortfall,
- Notarial tie with other properties where surplus parking is available in proximity of the applicant's site; and if not possible, or
- Payment of a levy in lieu of the shortfall of the number of parking bays up to 5%.
- If the abovementioned conditions cannot be met, then the applicant must reduce the
- GLA in accordance with the available parking bays the site can provide

**3. The following conditions apply:**

3.1 The appropriate Development charges are payable before building plan approval.

3.2 DCs are payable in accordance with the prevailing and applicable Council DCs Tariffs and DCs Policy at the time of payment prior to any building plan approval. The amount payable will therefore be the amount as calculated according to the

approved tariff structure and according to the DCs Policy principles at the time that payment is made.

**4. Installation of Engineering Services**

4.1 All internal and link engineering services for the development must be installed by the developer at the developers cost.

4.2 Detail engineering drawings must be submitted for approval prior to the commencement of construction and prior to the approval of building plans. The engineering drawings approval letter issued by the Municipality will constitute the "engineering services agreement" for the provision and installation of services between the municipality and the land owner / developer, as stated in the municipality's land-use planning by-law.

**5. General**

**General Conditions**

6. The implementation of the development wrt the provision of civil engineering services, must comply with the "*General guidelines and standard practices for the provision of civil engineering services for new developments*" as published on the municipality's website and as amended from time-to-time.
7. The design of the civil engineering services for the development must comply with the "*Design Guidelines and Minimum Standards for Civil Engineering Services*" as published on the municipality's website and as amended from time-to-time.
8. The internal services are private. Therefore, all internal services will be maintained by the Developer.
9. The Developer will be held liable for any damage to municipal infrastructure, caused as a direct result of the development of the subject property. The Developer will therefore be required to carry out the necessary rehabilitation work, at his/her cost, to the standards of the Directorate: Infrastructure Services, prior to transfer of the first property or approval of any building plans or occupation certificate, whichever occurs first.

10. The developer will be held liable for any nuisance, health or other risk to the public, caused as a direct result of the development of the subject property. Where in the opinion of the Municipality a nuisance, health or other risk to the public is caused due to construction activities and/or a lack of maintenance of any service, the Municipality may give the Developer and/or Owner's Association written notice to remedy the defect.

15/09/2026

**Shane Chandaka**
**Director: (Infrastructure Services)**
**N:\2.0 DEVELOPMENT\01 Land Use applications\3166 (IF) Erf 2252 Stellenbosch (LU-19343 TP1243-2025)\3166 () Erf 2252 Stellenbosch (LU-19343 TP1243-2025) - Rev4 Director.doc**