

## NOTICE OF LAND DEVELOPMENT APPLICATION

Attention : All property owners of Onder Papegaaiberg

### APPLICATION FOR REMOVAL OF RESTRICTIVE TITLE DEED CONDITIONS, ADDITIONAL USE (TECHNICAL APPROVAL) & PERMANENT DEPARTURE FOR ERF 4546, ONDER PAPEGAAIBERG, STELLENBOSCH

The following land use application in terms of the Stellenbosch Land Use Planning Bylaw refers:

|                               |                                                                                                                |
|-------------------------------|----------------------------------------------------------------------------------------------------------------|
| Application Property Address: | <b>1 Pelikaan Street, Onder Papegaaiberg, Stellenbosch 4546</b>                                                |
| Application Property Number:  | <b>4546</b>                                                                                                    |
| Applicant:                    | <b>Cornelis Muller</b> ( <a href="mailto:cornelis@acho-d.com">cornelis@acho-d.com</a> or 082 495 6548)         |
| Owner:                        | <b>J.P. Pellissier</b> ( <a href="mailto:pellissier.jp@gmail.com">pellissier.jp@gmail.com</a> or 083 796 0294) |
| Application Reference:        | <b>TP1347/2025</b>                                                                                             |

#### Description of land development proposal:

The application is made in terms of Section 15 of the Stellenbosch Municipal Land Use Planning Bylaw 2023 on Erf 4546 Stellenbosch for the following:

1. The removal of restrictive title deed conditions in terms of Section 15 (2)(f) of the said bylaw for the removal of Clause E13(b) of T68815/2016 stating : "geen gebou of struktuur of enige gedeelte daarvan, behalwe grensmure en heinings, mag nader as 6.3m van die straatlyn wat 'n grens van hierdie erf uitmaak, asook nie binne 3.15m van enige ander grens opgerig" in order to accommodate the proposed additions within 4m Street and 2.5m Common building lines in accordance with Stellenbosch zoning Scheme Bylaw 2019 Section 55.1
2. An additional use (technical approval) application in terms of Section 15(2)(g) of the said bylaw for permission in terms of the zoning scheme to construct a new second dwelling on the property as allowed for within Stellenbosch zoning Scheme Bylaw 2019 Sections 49 & 50
3. A permanent departure application in terms of Section 15(2)(b) of the said by law in order to relax the common building lines from 2.5m to 1m (adjoining Erf 4547 Stellenbosch) to accommodate the proposed covered patio & walkway additions on the property in accordance with Stellenbosch zoning Scheme Bylaw 2019 Section 55.2.c

Notice is hereby given in terms of the provisions of the said Bylaw that the above-mentioned application has been submitted to the Stellenbosch Municipality for consideration. The application is available for inspection on the Planning Portal of the Stellenbosch Municipal Website for the duration of the public participation process at the following address: <https://www.stellenbosch.gov.za/planning/documents/planning-notices/land-use-applications-advertisements>. If the website or documents cannot be accessed, an electronic copy of the application must be requested from the Applicant.

You are hereby invited to submit comments and / or objections on the application in terms of Section 50 of the said bylaw. Written comment, which must include the reference to the application, the name, contact details and physical address of the person to submit the comments, the reasons for the comments, and the interest of the person who submits the comment in the application, may be submitted to the Applicant by electronic mail as follows: **Cornelis Muller** ([cornelis@acho-d.com](mailto:cornelis@acho-d.com))

By lodging an objection, comment or representation, the person doing so acknowledges that information may be made available to the public and to the applicant.

The comments must be submitted within 30 days from the date of this notice to be received on or before the closing date of **16 February 2026**

The Municipality, in terms of Section 50(5) of the said Bylaw, may refuse to accept any comments/ objection received after the closing date.

For any enquiries on the Application or the above requirements, or if you are unable to write and /or submit your comments as provided for, you may contact the Applicant for assistance at the e-mail address provided or telephonically at (082 495 6548) during normal office hours. Monday-Friday : 8am – 5pm

Yours faithfully

**Cornelis Muller**

## KENNISGEWING VAN GRONDONTWIKKELINGS AANSOEK

**Aandag : Alle eiendomseienaars van Onder Papegaaiberg**

**AANSOEK VIR OPHEFFING VAN BEPERKENDE TITELVOORWAARDES, BYKOMENDE GEBRUIK (TEGNIËSE GOEDKEURING) & PERMANENTE AFWYKING VIR ERF 4546, ONDER PAPEGAAIBERG, STELLENBOSCH**

Die volgende grondgebruiksaansoek in terme van Stellenbosch se Verordeninge op Grondgebruikbeplanning verwys:

|                             |                                                                                                                |
|-----------------------------|----------------------------------------------------------------------------------------------------------------|
| Adres van aansoek eiendom:  | <b>1 Pelikaan Street, Onder Papegaaiberg, Stellenbosch 4546</b>                                                |
| Aansoek eiendom beskrywing: |                                                                                                                |
| Aansoeker:                  | <b>Cornelis Muller</b> ( <a href="mailto:cornelis@acho-d.com">cornelis@acho-d.com</a> or 082 495 6548)         |
| Eienaar:                    | <b>J.P. Pellissier</b> ( <a href="mailto:pellissier.jp@gmail.com">pellissier.jp@gmail.com</a> or 083 796 0294) |

Aansoek Verwysing: **TP1347/2025**

Beskrywing van grondontwikkelingsvoorstel:

Die aansoek word ingevolge Artikel 15 van die Stellenbosch Munisipale Grondgebruikbeplanningsverordening 2023 op Erf 4546 Stellenbosch gedoen vir die volgende:

1. Die opheffing van beperkende titelaktevoorwaardes ingevolge Artikel 15 (2)(f) van die genoemde verordening vir die opheffing van Klousule E13(b) van T68815/2016 waarin vermeld word: "geen gebou van struktuur van enige gedeelte daarvan, behalwe grensmure en binne heinings, mag as 6.3m van die grens van die straat nie nader as 6.3m. van enige ander grens opgerig" ten einde die voorgestelde aanbouings binne 4m Straat en 2.5m Gemeenskaplike boulyne te akkommodeer in ooreenstemming met Stellenbosch soneringskema Verordening 2019 Artikel 55.1

2. 'n Bykomende gebruik (tegniese goedkeuring) aansoek ingevolge Artikel 15(2)(g) van die genoemde verordening vir toestemming ingevolge die soneringskema om 'n nuwe tweede woning op die eiendom te bou soos toegelaat binne die Stellenbosch Soneringskema Verordening 2019 Artikels 49 & 50

3. 'n Permanente afwykingsaansoek ingevolge Artikel 15(2)(b) van die genoemde verordening om die gemeenskaplike boulyne van 2.5m tot 1m (aangrensend aan Erf 4547 Stellenbosch) te verslap om die voorgestelde oordekte patio- en looppad-aanbouings op die eiendom te akkommodeer in ooreenstemming met die Stellenbosch Soneringskema Verordening 2019 Artikel 55.2.c

Kennis word hiermee gegee in terme van die voorskrifte van die genoemde Verordeninge dat bovermelde aansoek by die Stellenbosch Munisipaliteit ingedien is vir oorweging. Die aansoek is beskikbaar vir insae op die Beplannings Portaal van die Stellenbosch Munisipaliteit se Webtuiste vir die tydspan van die publieke deelname proses by die volgende adres:

<https://www.stellenbosch.gov.za/planning/documents/planning-notices/land-use-applications-advertisements>. Indien die webtuiste of tersaaklike dokumente nie toeganklik is nie, moet die Aansoeker versoek word om 'n elektroniese kopie van die aansoek beskikbaar te stel.

Kommentaar en/ of besware kan vervolgens gedien word op die aansoek in terms van Artikel 50 van die tersaaklike Verordening. Skriftelike kommentaar, wat besonderhede ten opsigte

van die verwysings nommer van de aansoek, die name, fisiese adres en kontak besonderhede van die persoon wat die kommentaar lewer, die redes vir die kommentaar, en die belang van die persoon wat die kommentaar lewer in die aansoek, by die Aansoeker ingedien word by wyse van elektroniese pos as volg: **Cornelis Muller** ([cornelis@acho-d.com](mailto:cornelis@acho-d.com)). Deur 'n beswaar, kommentaar of verhoë te rig, erken die persoon wat dit doen dat inligting aan die publiek en aan die aansoeker beskikbaar gestel kan word.

Die kommentaar moet binne 30 dae vanaf die datum van hierdie kennisgewing gestuur word en moet ontvang word voor of op die laaste dag van die sluitings datum van **16 February 2026**

Daar moet kennis geneem word dat die Munisipaliteit, in terme van Artikel 50(5) van die vermelde Verordeninge, mag weier om enige kommentaar / beswaar te aanvaar wat na die sluitingsdatum ontvang word.

Indien daar enige navrae op die aansoek of bovermelde vereistes vir die lewer van kommentaar is, of indien dit nie moontlik is om geskrewe kommentaar te lewer of die kommentaar op die wyse te lewer soos voorsiening gemaak is nie, kan die Aansoeker geskakel word vir bystand by die vermelde elektroniese pos adres of telefonies by (082 495 6548) gedurende normale kantoor ure Monday - Vrydag : 8am – 5pm

Die uwe

**Cornelis Muller**

**Motivation for amendment/removal of restrictive conditions in respect of a land unit 4546 Onder Papegaai Berg**

To the Municipal Manager / Land Use Planning Department,

This is a formal motivation for the amendment of restrictive title deed conditions from the property known as Land Unit 4546, Onder Papegaai Berg.

The specific conditions requested for amendment are those that impose outdated and obsolete restrictions on the property's development and use, preventing its optimal and sustainable use in line with modern planning principles.

The property is subject to a number of restrictive conditions registered in its title deed that date back many decades.

These conditions, such as a limit of 1 dwelling unit and building lines, were created in a historical context that is no longer relevant to the current socio-economic and planning realities of the area. The Onder Papegaai Berg area has evolved significantly, and these historical restrictions now act as a hindrance to sensible and beneficial development.

The amendment of these restrictive conditions is sought on the following grounds:

- **Outdated and Obsolete Restrictions:** The existing conditions are antiquated and no longer serve a justifiable planning purpose. In a modern context, they are adequately controlled by current municipal land-use schemes, by-laws, and building regulations, rendering the title deed restrictions superfluous.
- **Alignment with Current Planning Policy:** The proposed removal of these restrictions aligns with the principles of efficient land use and densification encouraged by both the National SPLUMA framework and the Stellenbosch Municipal Spatial Development Framework. It will enable a more optimal utilization of the land, addressing contemporary housing and development needs without compromising the character of the area.
- **Increased Property Value and Development Potential:** The removal will unlock the full development potential of the property. The ability to expand or modify the property in line with current zoning laws will significantly increase its market value, contributing to economic growth and development in the Stellenbosch area.
- **Adaptability and Modernization:** Properties must be able to adapt to modern needs. These restrictions prevent the owner from undertaking developments

that would improve the property and potentially benefit the community, such as building a second dwelling or expanding the existing one to accommodate a growing family.

- Minimal Impact on the Surrounding Environment: Any future development on the property will be guided by modern municipal planning and building regulations. This includes the consideration of neighbouring properties and the broader environment. The removal of the outdated title deed conditions will not lead to unconstrained development.

The Specific amendments to align with Stellenbosch zoning Scheme Bylaw 2019 for a conventional residential zone are:

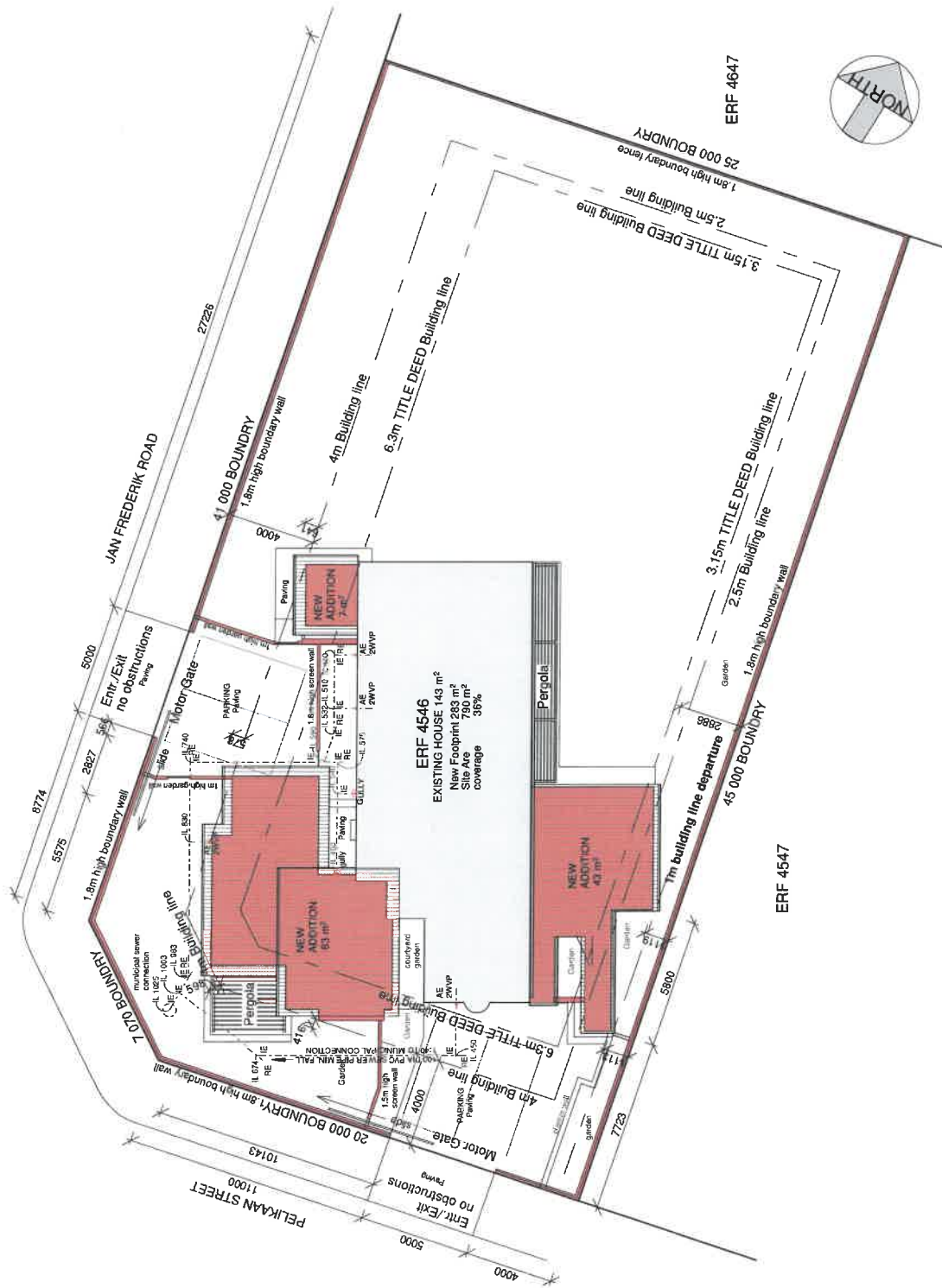
- To allow a Second Dwelling, instead of title deed allowance of only one dwelling.
- 4m Street and 2.5m Common building lines, instead of 6.3m Street and 3.15 common Title deed building lines
- Allow 1m common building line for canopies with erf 4547. Neighbour consent is automatically given, since erfs 4546 and 4547 have the same owner/s.

In conclusion the amendment of these restrictive title deed conditions is a logical and necessary step to modernize the property's legal standing and enable its optimal use in a manner consistent with current town planning legislation. It will allow for sustainable and responsible development that benefits both the property owner and the broader Stellenbosch community.

Sincerely  
Cornelis Muller,  
Prarch 7887







## Site Plan

1 : 200

project title

Additions to Existing House,  
erf 4546, 1 Pelikaan Street,  
Onder Papagaai Berg

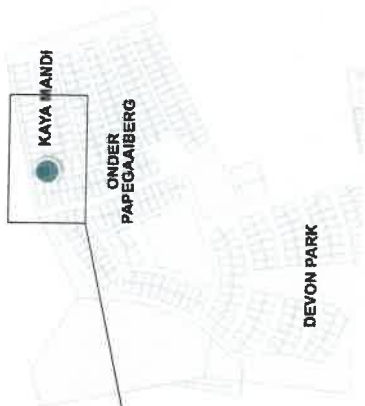
Site Plan

client

Mr. JP & Mrs.  
YC Pellissier

**Acho-d**

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# Locality Plan

1 : 2000

project title

Additions to Existing House,  
erf 4546, 1 Pelikaan Street,  
Onder Papagaai Berg

client

Mr. JP & Mrs.  
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Locality plan



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