



STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

Application Number: LU/9900
Erf Number: Erf 2214, Stellenbosch
Your Reference Number: None
Enquiries: L Ollyn
Contact No. : 021 808 8672

REGISTERED MAIL

Martha Magdalene Steyn
20 Here Crescent
Simonswyk
STELLENBOSCH
7600

Sir/Madam

APPLICATION FOR CONSENT IN TERMS OF THE TITLE DEED CONDITION AND DEPARTURE: ERF 2214, 20 HERE CRESCENT, SIMONSWYK, STELLENBOSCH

Application is made for:

1. The Administrator's consent to relax the restrictive title deed condition(s) contained in Title Deed No. T. 7548/2012, Clause 3.IV (d) in order to relax the restrictive title deed common building line from **3,15m** to **0m** (Attached as **Appendix 1**) to permit the application contained in paragraph 2 hereunder.
2. Departure in terms of Section 15(2)(b) of the Stellenbosch Municipal Land Use Planning By-Law dated 20 October 2015, to relax the common building line (adjacent to Erf 2213, Stellenbosch) from **2,5m** to **0m** for purposes of a garage as indicated on drawing no. PP1080/9, dated June 2019, drawn by Pretplan Building Plans (See **Appendix 2**);
3. The Director: Planning and Economic Development and simultaneously the Authorised Employee hereby **approves, in whole** your applications for consent to relax the applicable title deed condition(s) in terms of the relevant Title Deed and the application for departure(s) in terms of Section 60 of the Stellenbosch Municipal Land Use Planning By-law, on condition that;
 - 3.1 The approval applies only to the applications under consideration in this application as noted above and shall not be construed as authority to depart from any other legal prescriptions or requirements from all other internal and external departments.

3.2 Building plans must be submitted and approved by this Municipality, prior to any building work commencing on site;

3.3 This departure approval shall lapse if not exercised within 5 years from date of final notification.

4. Reasons for the above decision are as follows:

4.1 The adjacent affected property owner(s) granted their written consent.

4.2 The proposed land use is in line with the zoning of the property.

4.3 The relaxation of the common building line is for a non-habitable structure (garage) and will not have a detrimental impact on the neighbouring properties.

4.4 The proposed departure would not negatively affect the aesthetic appearance of the structure, property or surrounding environment.

5. You are hereby informed of your right to appeal to the Appeal Authority in terms of section 79(2) and that all appeal submissions and processing must be in compliance with the procedures for appeals stipulated in section 80 of the said legislation.

6. If you intend to appeal, the appeal form must be completed and can be obtained from our Advice Centre; Land Use Management, Ground floor, Plein Street, Stellenbosch or the municipal website at www.stellenbosch.gov.za/planning_portal, and should be directed to the Appeal Authority and received by the Municipal Manager at P O Box 17, Stellenbosch, 7599 or faxed to 021 886 6899, or hand delivered to the Advice centre, within 21 days of registration of this decision letter together with proof of payment of the appeal fee.

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

8. Kindly note the above decision 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



CRAIG ALEXANDER

THE AUTHORISED EMPLOYEE

ACTING DIRECTOR: PLANNING & ECONOMIC DEVELOPMENT

12/03/2020

DATE

APPENDIX 1

Copy of Title Deed



lucille geldenhuys

attorneys, notaries and conveyancers • prokureurs, notaris en aktevervaardigers

TO WHOM IT MAY CONCERN

your ref / u verw

our ref / ons verw

e-mail/e-pos

date / datum

HMeyer/Adele/VHM53

Helene@lgeldenhuys.co.za

3 June 2019

**CONVEYANCER CERTIFICATE TO
CONFIRM REGISTRATION OF TRANSFER**

I, the undersigned Helene Meyer, Conveyancer of Lucille Geldenhuys Attorneys, Stellenbosch

Herewith confirm that the following transfer was registered in the Deeds Office, Cape Town on
Monday the 27th of May 2019:

1. SELLER / TRANSFEROR:

Trustees of VAN GREUNING TRUST
Registration Number IT3231/2011

2. PURCHASERS / TRANSFEREES:

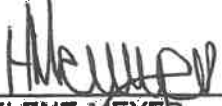
MARTHA MAGDALENA STEYN
Identity Number 750626 0262 08 3
Unmarried

3. PROPERTY:

ERF 2214 STELLENBOSCH, IN THE MUNICIPALITY AND DIVISION
STELLENBOSCH, PROVINCE OF THE WESTERN CAPE

IN EXTENT 991 (NINE HUNDRED AND NINETY ONE) SQUARE METRES

SIGNED AT STELLENBOSCH ON THE 3rd OF JUNE 2019


HELENE MEYER
CONVEYANCER

LUCILLE GELDENHUYS ATTORNEYS
HELENE MEYER
COMMISSIONER OF OATHS/NOTARY
1st FLOOR MERLOT HOUSE
BRANDWACHT OFFICE PARK, TRUMALI STREET
STELLENBOSCH, WESTERN CAPE PROVINCE
REPUBLIC OF SOUTH AFRICA
CELL: 082 829 1753

Lucille Geldenhuys
B PROC (UNISA) LLM (STEL)

Helene Meyer
B COMM (STEL) LLB (UNISA)

1st Floor / Vloer De Wef Centre, cnr. / hv. Church & Bird St. Stellenbosch 7600
☒ 7184, Stellenbosch, 7599 ☎ (021) 887 9149 ☎ (021) 883 2036 ☎ 083 232 4507
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329

CTN1107

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1st Floor Merlot House
Brandwacht Office Park
Trumali Street
Stellenbosch
Tel: +27218879149

Prepared by me

CONVEYANCER
HELENE MEYER

Deeds Office Registration fees as per Act 47 of 1937		
	Amount	Office Fee
Purchase Price	R.....	R.....
Reason for Exemption	Category Exemption.....	Exemption i t o. Sec/Reg..... Act/Proc.....

T

DEED OF TRANSFER

BE IT HEREBY MADE KNOWN THAT

LYNNE BOTHA

appeared before me, the Registrar of Deeds at Cape Town, the said appearer, being duly authorised thereto by a power of attorney granted to her by

The Trustees of VAN GREUNING TRUST

Registration Number IT3231/2011

signed at Stellenbosch on 27 February 2019

And the appearer declared that:

Whereas the Transferor had truly and legally sold the undermentioned property on 3 February 2019 by Private Treaty

Now therefore the Appearer on behalf of the Transferor, did by these presents, cede and transfer to and on behalf of

MARTHA MAGDALENA STEYN

Identity Number 750626 0262 08 3

Unmarried

her heirs, executors, administrators or assigns, in full and free property

**ERF 2214 STELLENBOSCH, IN THE MUNICIPALITY AND DIVISION
STELLENBOSCH, PROVINCE OF THE WESTERN CAPE**

IN EXTENT 991 (NINE HUNDRED AND NINETY ONE) SQUARE METRES

**FIRST TRANSFERRED BY DEED OF TRANSFER NUMBER T8887/1956 WITH
DIAGRAM NUMBER 12270/1954 RELATING THERETO AND HELD BY DEED OF
TRANSFER NUMBER T7548/2012**

SUBJECT TO:

1. Such conditions as are referred to in Deed of Transfer Number T7548/2012.
2.
3. The following special conditions imposed by the Administrator under the conditions of Section 18(3) of Ordonnance No 33 of 1934, and imposed in Deed of Transfer Number T88877/1956, namely:
 - “i. Enige woorde en uitdrukkings wat in die volgende voorwaardes gebesig word het dieselfde betekenis as wat daaraan geheg word by die regulasies afgekondig by Kennisgewing van die Provinsiale Administrasie Nommer 401 van 17 Oktober 1935, en in die memorandum wat genoemde regulasie vergesel het.

- ii. Die eienaar van hierdie erf is verplig om sonder betaling van vergoeding toe te laat dat die elektrisiteitskabels en waterpype en die rioolvuil en dreinerings insluitende reënwater van enige ander erf of erwe, binne of buite hierdie onderverdeling, oor hierdie erf gevoer word, indien dit deur die plaaslike owerheid nodig geag word, en wel op die wyse en ligging wat van tyd tot tyd redelikerwys vereis word. Dit sal die reg op toegang te alle tye tot die eiendom insluit met die doel om riool, inspeksieputte, vore, waterleidings en ander werke behorende daartoe te bou, onderhou, verander, verwyder of inspekteer.
- iii. Die eienaar van hierdie erf is verplig om sonder vergoeding op die erf die materiaal te ontvang of uitgrawings op die erf toe te laat al na vereis word sodat die volle wydte van die straat gebruik kan word en die wal veilig en behoorlik afgeskuins kan word omrede die verskil tussen die hoogtes van die straat soos finaal aangelê en die erf tensy hy verkies om steunmure te bou ten genoeg van die plaaslike owerheid en binne 'n tydperk wat die plaaslike owerheid bepaal.
- iv. Hierdie erf is onderhewig aan die volgende voorwaardes met dien verstande dat indien die Administrateur, na oorleg met die Dorpekommissie en die plaaslike owerheid dit raadsaam ag dat die beperkings in enige sodanige voorwaarde te eniger tyd opgeskort ^{→ remove} of versag ^{of relax} behoort te word, hy die nodige opskorting of versagting kan goedkeur onderworpe aan sodanige voorwaardes as wat hy oplê;
- (a) dit mag nie onderverdeel word nie;
- (b) dit mag alleen gebruik word vir die doel om een woning, tesame met die buitegeboue wat gewoonlik in verband daarmee gebruik word, daarop te rig;
- (c) op nie meer as helfte van die oppervlakte daarvan mag gebou word nie;
- (d) geen gebou of struktuur of enige gedeelte daarvan behalwe grensmure en heinings mag binne 6,30 meter van die ^{street} ~~straat~~lyn wat 'n grens van hierdie erf vorm, opgerig word nie, ook nie binne 3,15 meter van die ^{rear} ~~agter~~grens of ^{common} ~~sy~~grens van 'n aangrensende erf nie, op voorwaarde dat met die toestemming van die plaaslike owerheid 'n buitegebou wat 'n hoogte van 3,05 meter van die vloer tot die ankerplaat, binne die voorgeskrewe ruimte langs die agtergrens en binne die voorgeskrewe syruimte vir 'n afstand van 9,45 meter bereken vanaf die agtergrens opgerig mag word;

- (e) ingeval die bepalings van 'n Dorpsaanlegskema van toepassing op hierdie erf gemaak word en sodanige bepalings meer beperkend is as die voorafgaande bepalings, dan sal die bepalings van sodanige skema van toepassing wees;"

4. The following special condition contained in favour of the MUNICIPALITY of STELLENBOSCH imposed in his favour and contained in deed of Transfer T8887/1956; namely:

- "A. Alvorens 'n afsonderlike skatting van 'n erf gemaak is, betaal die eienaar jaarliks 'n bedrag aan die Koopskat.
- B. Die eienaar moet binne 'n tydperk van twee (2) jaar gereken vanaf die datum van oordrag, 'n woonhuis met of sonder buitegeboue oprig waarop 'n Munisipale skatting van R4 000.00 geplaas is.

Indien sodanige woonhuis opgerig is en daarna gedeeltelik of geheel en al vernietig word, moet die woonhuis binne 'n tydperk van een jaar (1) gereken vanaf die datum van vernietiging herstel word of opnuut opgerig word na gelang van die geval sodat dit aan bogenoemde vereistes voldoen.

Indien sodanige woonhuise nie soos voornoem opgerig word of herstel of heropgerig word nie, moet gelikwiderde skadevergoeding gelyk aan die jaarlikse belasting wat betaalbaar sou gewees het, op die basis van sodanige waardasie (R4 000) aan die Stadsraad betaal word bo en behalwe die belasting wat op die waardering van die grond in ieder en elke jaar gehef mag word totdat sodanige woonhuis voltooi is tot bevrediging van gesegde Stadsraad. Ingeval voorsiening gemaak is deur die Stadsraad vir hoofrioolpype, wateraanleg en elektrisiteit, waarby die eiendom hierdeur getranspoteer aansluiting kan maak, sal die eienaar, indien hy versuim om bogemelde vereistes na te kom, behalwe eiendomsbelasting waarna hierbo verwys word, verder ook aan gesegde Stadsraad betaal die minimum water, sanitasie – en vullisverwyderingsfooie wat jaarliks betaalbaar sou wees op 'n woonhuis waarop 'n Munisipale skatting van R4 000.00 geplaas is, plus die waardasie van die grond, plus R1. 50 per maand vir elektrisiteit, tot tyd en wyl die gesegde vereistes deur hom nagekom is.

- C. Ingeval die eienaar twee (2) aangrensende erwe koop en hy op een erf 'n huis met of sonder buitegebou oprig wat vir belastingdoeleindes deur 'n geswore waardeerder aangestel te word deur die Raad vir ten minste R8 000.00 gewaardeer word, sal die gemelde eienaar ten opsigte van die onbeboude erf vanaf datum wanneer voorgemelde waardering in werking tree vrygestel word van die voorwaarde om 'n huis te bou op die onbeboude erf.
- D. Die eienaar van hierdie erf is verplig om te sorg dat die geboue wat hy op hierdie erf gaan oprig wat die boukundige hoedanighede daarvan betref, aan die vereistes van die Bouregulasies van die Munisipaliteit van Stellenbosch voldoen wat van toepassing is wanneer die gebou opgerig word en ook voldoen aan die beleid van die Raad wat betref die ontwerp, konstruksie en aansigte van geboue. Geen gebou mag op hierdie erf opgerig word wat nie volgens die opinie van die Raad by die geboue in die opgewing pas nie, en wat, in die opinie van die Stadsraad, van 'n minderwaardiger gehalte is wat betref vertoning en materiaal as ander geboue in die omgewing.
- E. Planne vir alle omheinings van hierdie erf, van watter materiaal dit ook al mag wees, moet aan die Stadsraad van Stellenbosch vir goedkeuring voorgelê word en geen sinkplaatomheinings of sinkomheinings van eniger aard mag op hierdie erf aangebring word nie.
- F. Die dakke van alle geboue op hierdie erf moet eenvormig wees wat materiaal en styl betref. Platdakke vir buitegeboue sal slegs toegelaat word as die hoofgebou ook 'n platdak het.
- G. Die eienaar van hierdie erf aanvaar geen bedrywigheid wat deur geraas of in enige ander opsigte 'n oorlas vir ander bewoners van erwe sal veroorsaak nie. Hy sal nie op hierdie erf hout vir wins saag of kap nie, of toelaat dat dit gedoen word, nog enige materiaal wat hy in verband met enige besigheid wat hy buite hierdie erf mag bedrywe, op hierdie erf mag bêre nie.”

WHEREFORE the appearer, renouncing all the right and title the said

The Trustees of VAN GREUNING TRUST

heretofore had to the premises, did, in consequence also acknowledge them to be entirely dispossessed of, and disentitled to, the same; and that, by virtue of these presents, the said

MARTHA MAGDALENA STEYN, Unmarried

her heirs, executors, administrators or assigns, now is and henceforth shall be entitled thereto, conformably to local customs; the State, however, reserving its rights, and finally acknowledging that the purchase price is the amount of **R4 400 000,00 (Four Million Four Hundred Thousand Rand)**.

IN WITNESS WHEREOF I, the said Registrar, together with the appearer, have subscribed to these presents, and have caused the seal of office to be affixed thereto.

THUS SIGNED, EXECUTED AND SEALED at the Office of the Registrar of Deeds at Cape Town on

In my presence

Registrar of Deeds

Signature of appearer *q.q.*

APPENDIX 2

Proposed building plan

Doors
 D1 - 813 x 2032 x 40 mm solid timber door with 1 and half hour fire residence
 D2 - 2500 x 2500 epoxy coated alum.
 garage sectional overhead door installed by specialist
 D3 - 2400 x 2100 epoxy coated alum.
 roll up garage door installed by specialist.

Notes :
Roof Construction.
 0.6 mm galv. Kliplok steel roof sheeting on 75 x 50 purlins at 1.2 m centres on 150 x 50 rafters at 1000 mm centres.
 Provide polycarbonate roof sheets with the same profile in between galvanized sheets for some light.
Walls.
 230 mm walls built with ROK clay bricks layed in stretcher bond in 1 : 5 cement mortar with wall ties and brick force to every course and plastered. Painted with 1 under coat and 2 coats Dulux Wall and All. Colour as per owner choice.
Floor Construction.
 Existing paving to be used with fall to street and exist. channels closed with removable galv. steel grids.
Foundations.
 All foundations to comply to SANS 10400 Part H and K. No foundations on boundary to protrude over boundary.

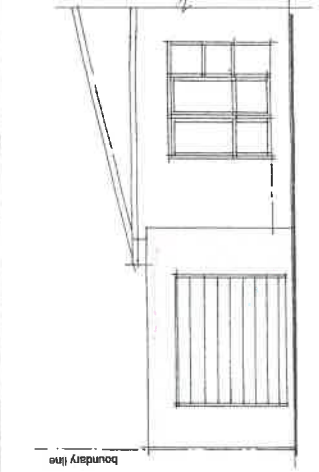
Areas :
 Erf 2214 991,00 sq.m.
 Exist. Dwelling 232,50 sq.m.
 Exist. Pergola 39,00 sq.m.
 New Garage 48,36 sq.m.
 Total 319,86 sq.m.
 Coverage 32% (40%)

pretplan
BOUWERIJNE
BUILDING PLANS
 Botha Pretorius
 Postbus 3140, Matieland, Stellenbosch, 7602
 SACAP Reg.No ST1950, 072 462 9966.
 Project

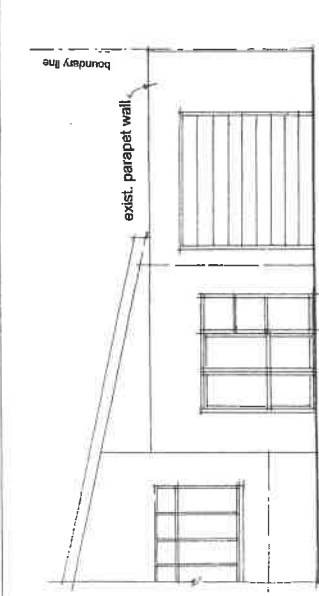
Dwelling Steyn
 Proposed Addition to Existing on Erf 2214, 20 Here Crescent, Simonswyk, Stellenbosch.

Shear Description:
 Ground Floor Plan,
 Elevations, Site Plan,
 Section

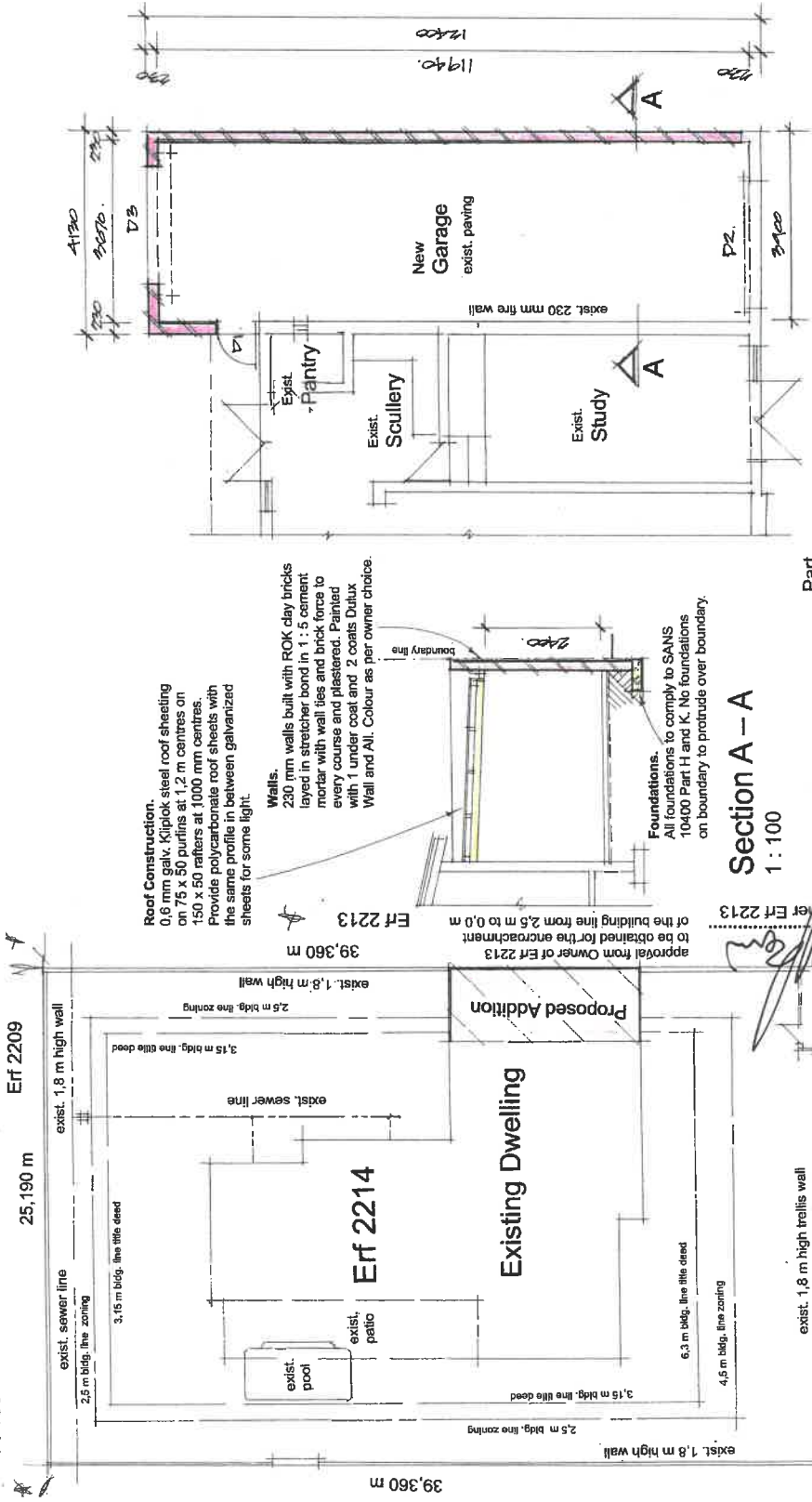
Project number	PP1080/19
Scale	1 : 100
Date	June 2019
Drawn by	botha



East Elevation
 1 : 100



West Elevation
 1 : 100



Ground Floor Plan
 1 : 100

Roof Construction.
 0.6 mm galv. Kliplok steel roof sheeting on 75 x 50 purlins at 1.2 m centres on 150 x 50 rafters at 1000 mm centres.
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Foundations.
 All foundations to comply to SANS 10400 Part H and K. No foundations on boundary to protrude over boundary.

Section A - A
 1 : 100



Site Plan
 1 : 200

Author: *[Signature]*
 SACAP ST1950
 Erf 2214

PAK