

1 [Disapproving Street Encroachment - 10 Niantic Avenue]

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3 **Resolution affirming Department of Public Works' recommendation for disapproval for**
4 **occupancy of a portion of the public right-of-way with a portion of a new single family**
5 **dwelling encroaching 3-feet into the public right-of-way at 10 Niantic Avenue (Block No.**
6 **7178, Lot No. 001) and urging the City to work with the applicants, Lee Yun Ling &**
7 **Cindy Zhou, to vacate and acquire the subject portion of the public right-of-way.**

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9 WHEREAS, pursuant to Public Works Code Section 786, permission was requested by
10 Jaidin Consulting Group, agent for the owner, Lee Yun Ling & Cindy Zhou to occupy a portion
11 of the public right-of-way with a portion of a new single family dwelling encroaching 3-feet into
12 the public right-of-way at 10 Niantic Avenue, as shown on the plans, a copy of which is on file
13 in the office of the Clerk of the Board of Supervisors in File No. 120703; and

14 WHEREAS, San Francisco Municipal Transportation Agency (SFMTA), at the
15 September 13, 2011 of the Transportation Advisory Staff Committee (TASC), recommended
16 that this project be re-addressed back to the appropriate City agencies; Planning Department
17 and Department of Building Inspection for further review and action. SFMTA has
18 recommended that the Permittee install "Dead End" signs to minimize unnecessary traffic and
19 mitigate potential vertical clearance issues, especially for large vehicles; and

20 WHEREAS, The Department of City Planning, by letter dated February 17, 2012,
21 declared that the proposed encroachment is in conformity with the General Plan and the
22 priority policies of Planning Code Section 101.1. A copy of said letter is on file with the Clerk
23 of the Board of Supervisors in File No. 120703, and is incorporated herein by reference; and

24 WHEREAS, At a duly noticed public hearing on March 28, 2012, the Department of
25 Public Works recommended disapproval of the proposed encroachment; and

1 WHEREAS, Notwithstanding the determination set forth above, it is the decision of the
2 Board of Supervisors that the proposed encroachment is in the best interest of the general
3 public, the encroachment is not appropriate use of the public right-of-way; and
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5 RESOLVED, That pursuant to Public Works Code Section 786, the Board of
6 Supervisors hereby disapproves permission to Lee Yun Ling and Cindy Zhou to occupy a
7 portion of the public right-of-way with a portion of a new single family dwelling encroaching 3-
8 feet into the public right-of-way at 10 Niantic Avenue (Block 7178, Lot 001), and urge the City
9 Departments involved with this encroachment to work with the applicant in the acquisition of
10 the subject portion of the public right-of-way through a Street Vacation process.
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12 RECOMMENDED:
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14 _____
15 Fuad Sweiss, Deputy Director
16 for Engineering
17 and City Engineer
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APPROVED:

Mohammed Nuru
Director of Public Works