

FILE NO. 021636

MOTION NO.

1 [Minor Sidewalk Encroachment Appeal]

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3 **Motion disapproving the decision of the Department of Public Works' denial of an**
4 **Encroachment Permit for 1901 Hyde Street and granting an Encroachment Permit,**
5 **subject to certain conditions.**

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7 MOVED, That pursuant to applicable provisions of Section 723.2 of the Public Works
8 Code, the decision of the Department of Public Works by its letter dated September 13, 2002,
9 to deny Rebekah and Rich Wood a minor sidewalk encroachment permit to legalize the
10 construction of a trash can storage enclosure on Green Street within the public sidewalk right-
11 of-way and the existing menu board advertising Frascati Restaurant at 1901 Hyde Street, be
12 and the same is hereby disapproved; and, be it

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14 FURTHER MOVED, That the encroachment permit is hereby granted, subject to the
15 following conditions:

- 16 1. The encroachment permit is granted only for the proposed trash can enclosure on
17 Green Street, and not for the proposed menu board for the restaurant.
- 18 2. The encroachment permit is non-transferable, and is for the benefit of the applicant
19 only. Upon transfer of the space to any other business operator, this permit
20 automatically terminates.
- 21 3. The construction of the trash can storage enclosure on Green Street shall be built
22 and maintained consistent with the proposed design submitted by the applicant to
23 the Board of Supervisors on October 28, 2002, a copy of which is included in the
24 Board's File No. 021636, and a copy of which shall be delivered to the Department
25 of Public Works.

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