



Legislation Details (With Text)

File #: 22-575 **Version:** 1 **Name:** RESO BZA CUP PLN22-0029 341 MacArthur Blvd
Type: Board of Zoning Adjustments Resolution **Status:** Passed
In control: Planning Commission and Board of Zoning Adjustments
On agenda: 10/6/2022 **Final action:** 10/6/2022
Enactment date: 10/6/2022 **Enactment #:** Reso 2022-007 BZA
Title: RESOLUTION 2022-007 of the Board of Zoning Adjustments to Approve a Conditional Use Permit for 341 MacArthur Blvd (PLN22-0029).
Sponsors: Tom Liao

Indexes:

Code sections:

Attachments: 1. Exhibit A Recommended Findings of Fact, 2. Exhibit B Recommended Conditions of Approval

Date	Ver.	Action By	Action	Result
10/6/2022	1	Planning Commission and Board of Zoning Adjustments	Adopted	Pass

RESOLUTION 2022-007 of the Board of Zoning Adjustments to Approve a Conditional Use Permit for 341 MacArthur Blvd (PLN22-0029).

WHEREAS, William and Linda K Hom (“Applicant” and “Owner”) submitted an application for a Conditional Use Permit to enlarge a legal, nonconforming Single-Family Residence by adding 480 square feet to an existing 948 square-foot one-story residence at 341 MacArthur Blvd. (PLN22-0029) (“Project”); and

WHEREAS, 341 MacArthur Blvd (“Property”) is a lot measuring 5,000 square feet and containing a single-family residence measuring 948 square feet, and a detached one-car garage measuring approximately 200 square feet; and

WHEREAS, the Property is zoned CC (Community Commercial) and has a General Plan designation of Corridor Mixed Use (MUC); and

WHEREAS, Zoning Code Section 4.20.108 allows single-family residential uses to be enlarged, subject to a Use Permit issued by the Board of Zoning Adjustments (BZA); and

WHEREAS, the project qualifies as categorically exempt from the California Environmental Quality Act (CEQA) per CEQA Guidelines, Article 19, Section 15301, because it is an Existing Facility that involves minor alterations and negligible expansion of use, it is in an area where all public services and facilities are available to allow for maximum development, and it is not located in an environmentally sensitive area; and

WHEREAS, the Board of Zoning Adjustments held a duly noticed public hearing regarding the proposed Project on October 6, 2022, at which time all interested parties had the opportunity to be

heard; and

WHEREAS, the Board of Zoning Adjustments fully considered the Project application and entitlements, applicant's statements, staff report, finds of fact, conditions of approval, public comments, and all other testimony and evidence presented at the public hearing; and

WHEREAS, the Board of Zoning Adjustments finds that the staff report and standards for approval reflects the City's independent judgement and analysis of the Project; and

WHEREAS, the Board of Zoning Adjustments finds that the proposed Project does satisfy the requisite findings of fact necessary for approval as further explained in the staff report and the findings of fact associated with this Resolution, as identified in "Exhibit A" attached to this Resolution; and

WHEREAS, the City's General Plan and the Zoning Code are incorporated herein by reference, and are available for review at City Hall during normal business hours and on the City's website.

NOW, THEREFORE IT IS RESOLVED THAT: The forgoing recitals are true and correct and made part of this resolution.

BE IT FURTHER RESOLVED THAT: The Board of Zoning Adjustments of the City of San Leandro does hereby make the following findings and determinations regarding the regarding the proposed Project:

1. The Board of Zoning Adjustments of the City of San Leandro does hereby make the necessary findings and determinations required by Sections 5.08.124 and 4.20.108(4) of the City of San Leandro Zoning Code to approve the requested Conditional Use Permit to allow enlarge a legal, nonconforming Single-Family Residence by adding 480 square feet to an existing 948 square-foot one-story residence at 341 MacArthur Blvd, as further explained in the staff report and findings of fact for approval as set forth in "Exhibit A" attached hereto and incorporated herein by this reference.
2. Based on the findings and determinations, the Board of Zoning Adjustments of the City of San Leandro does hereby approve Conditional Use Permit PLN22-0029 to allow enlarge a legal, nonconforming Single-Family Residence by adding 480 square feet to an existing 948 square-foot one-story residence at 341 MacArthur Blvd, subject to the Conditions of Approval, as further set forth in "Exhibit B" attached hereto and incorporated herein by this reference.