



## Legislation Text

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File #: 22-575, Version: 1

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**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.