DCLU

Director's Rule 9-91

Applicant City of Seattle Department of Construction and Land Use		**Page** 1 **of** 2	**Supersedes** NA
		Publication 7-1-91	**Effective** 8-1-91
		Code and Section Reference SMC 23.20.012	
Subject Application Submittal Requirements for Surplus Highway Property sold by the State Department of Transportation		**Type of Rule** Code Interpretation	
Index Land Use - Procedural		**Ordinance Authority** 3.06.040 SMC	
		Approved Dennis J. McLerran	**Date** 7/30/91

PURPOSE

This Rule sets out the standards which shall be the basis for issuing a building or development permit where the State Department of Transportation has sold surplus highway property which has not complied with platting regulations. The public interest would not be adversely affected by such appoval if certain conditions are met.

Requirements

Where land has been divided by sale to, or condemnation by, the State of Washington for the purpose of highway right-of-way and all or part of such land is later resold by the State as surplus property, pursuant to RCW 58.17.210 and SMC 23.20.012 the Department of Construction and Land Use may issue a building permit or other development permit even though the State has not complied with platting regulations, PROVIDED that the following requirements are satisfied:

1. The applicant submits a certified survey of the land;

2. The development site includes all surplus property along the block face where the property lies;

3. The land meets the minimum lot size requirements for the zone in which it is located;

4. Yard and setback requirements of the zone will be met;

5. Access standards are or will be met;

6. Utilities are or will be available; and

7. The proposed development will be compatible with the character of the adjoining or surrounding neighborhood.

The Director shall provide notice to owners of abutting property of an application under this rule. Notice shall be mailed to owners of record and provide for a fifteen-day comment period from the date of mailing.

If the Director determines that a development permit may be issued, the Director shall provide the applicant with a letter recognizing the land as a separate building site pursuant to RCW 58.17.210 and SMC 23.20.012 and shall record the survey and recognition letter.