



# Director's Rule 28-2000

<b>Applicant:</b>  City of Seattle Department of Design, Construction and Land Use	<b>Page</b>  1 of 2	<b>Supersedes:</b>  N/A
	<b>Publication:</b>  10/26/00	<b>Effective:</b>  11/30/00
<b>Subject:</b>  Submittal Requirements for a Variance Application under the Housing and Building Maintenance Code	<b>Code and Section Reference:</b>  SMC 22.206.217	
	<b>Type of Rule:</b>  Code Interpretation and Procedure	
	<b>Ordinance Authority:</b>  SMC 3.06.040	
<b>Index:</b>  Housing and Building Maintenance Code (Title 22)	<b>Approved</b>	<b>Date</b>

## Purpose

The purpose of this rule is to establish submittal requirements for a request for a variance from the requirements of the Seattle Housing and Building Maintenance Code.

## Background

Section 22.206.217 B(1) of the Housing and Building Maintenance Code (HBMC) provides:

The current owner or tenant of a building may request a variance on a form provided by the Department. The request must describe the standards or requirements of SMC Sections 22.206.010 through 22.206.140 or of SMC 22.206.200 from which a variance is requested and explain how the

requested variance complies with subsections (1) through (5) of SMC Section 22.206.217 A. A variance request must contain the address of the property, the name and address of all persons having an interest in the property, and the names and addresses of all parties affected by the condition or conditions for which a variance is requested, including all property owners and occupants. The Director shall establish by Rule submittal requirements for a variance request.

## **Rule**

The phrase "an interest in the property" shall be interpreted to mean an ownership interest in the property for which a variance is sought.

The current address, if known, or the last known address, must be provided in a variance request, for each of the following: persons having an ownership interest in the property, tenants, other occupants of the building for which a variance is sought, and other parties affected by a requested variance. Until such addresses are submitted, an application will not be processed. If addresses submitted result in mail being returned because an address is undeliverable or an addressee is unknown, the Department may elect not to process the application further until all address issues are resolved.

A person requesting a variance shall list, in the space provided on the variance request form, specific HBMC section references when identifying and describing each code standard or requirement from which a variance sought.

A person requesting a variance shall certify, in the space provided on the variance request form, that the information and representations contained in the request are true, complete and accurate to his or her knowledge.

An incomplete variance request, a variance request with insufficient or missing information, or a variance request for which a certification is incomplete or missing, will not be processed, but will be returned to the person submitting the request.