

FOR FDNY USE ONLY

APPLICATION REC'D: DATE: _____

BY: _____

APPLICATION NO.: _____

NEW YORK CITY FIRE DEPARTMENT

**APPLICATION FOR MODIFICATION (VARIANCE) OF
PROVISIONS OF THE NEW YORK CITY FIRE CODE
OR FIRE DEPARTMENT RULES**

INSTRUCTIONS:

- A. This form shall be used to apply to the Fire Department , pursuant to FC104.8 and 3 RCNY §104-01, for a modification (variance) of any Fire Code or Fire Department Rule provision. This application shall not be used for modifications of any provision of the New York City Building Code, including design requirements for fire alarm systems.
- B. This application must be typewritten or legibly printed in ink, accompanied by all necessary supporting documents, including as applicable design and installation documents.
- C. A non-refundable application fee of \$200.00 is required at the time of filing, in accordance with FC A04(5).
- D. **Complete all 18 sections of this application.** Do not leave any sections blank. If a particular section is not applicable, mark the section "N/A". Sections 9, 10, 11, 14, 15 and 16 may require that additional documentation be filed with the application.
- E. Modification applications shall be filed in triplicate to:

Chief of Fire Prevention
New York City Fire Department
9 MetroTech Center, 3rd Floor
Brooklyn, NY 11201-3857

Any questions regarding this application or application filing procedures should be directed to the Technology Management Unit, Bureau of Fire Prevention, at (718) 999-2377.

1. Premises affected:

Block No.: _____ Lot No.: _____

Address: _____

Affected floor(s) _____

2. Applicant:

Name: _____

Address: _____

Telephone: _____

E-Mail: _____

Relationship to premises: _____

3. Premises Owner (if different from Applicant):

Name: _____
Address: _____
E-Mail: _____
Telephone: _____

4. Filing representative:

Name: _____
Company Name _____
Address: _____
Telephone number _____
E-Mail: _____
Expediter Registration No.: _____

5. Person to contact to make arrangements for Fire Department inspection:

Name: _____ Telephone number _____

6. Nature of modification sought:

- Fire apparatus access roads
- Rooftop access and obstructions
- Other _____

7. Sections(s) of Fire Code (29 Administrative Code §FC___) or Fire Department rules (3 RCNY___) sought to be modified: _____

8. Is this application being made in connection with a proposed or existing condition? Proposed Existing

9. Has the applicant or owner submitted any prior modification applications regarding this matter? Yes No. If yes, submit a copy of the prior application and response received.

10. Has any modification previously been granted for this premises or occupancy? Yes No. If yes, submit a copy of the modification determination.

11. Are there any outstanding Fire or Building code violation orders, notices of violation or summons outstanding against the applicant or the owner for the affected premises, whether related or unrelated to this matter? Yes No. If yes, describe the nature of the violation and submit a copy of the violation and the disposition.

12. Building characteristics for affected premises:

Construction date: _____
Construction classification: _____
Occupancy classification: _____

Height: _____

Number of stories: _____

Floor areas (square footage): _____

Certificate of Occupancy No. (attach copy): _____

13. Fire protection features of affected premises:

Is sprinkler system protection provided? Yes No. If yes, indicate the area protected: _____

Is standpipe system protection provided? Yes No.

Is a fire alarm system provided? Yes No. If yes, what type?

14. Submit copies of the most recent Fire Department permit(s), if any, issued to the owner or occupant relating to this application.

15. Explain in detail the specific nature of the modification sought and describe the difficulty in complying with the requirements of the Fire Code or Fire Department rule. If you require more space, you may attach additional sheets(s). NOTE: Cost of compliance with code and rule requirements is not ordinarily sufficient grounds for granting of a modification.

16. Explain in detail how you propose to mitigate the effect of modifying the code or rule requirement. Include all measures intended to ensure public safety. If you require more space, you may attach additional sheets(s).

17. Applicant Certification. Under penalty of perjury, I certify that the information contained in this application is true to the best of my knowledge.

Applicant's name: _____

Signature: _____

Date: _____

18. Owner Statement (if different from applicant). I have authorized the applicant to file this modification with respect to the premises.

Owner's name: _____

Signature: _____

Date: _____