



**NEW YORK STATE DEPARTMENT OF STATE
DIVISION OF BUILDING STANDARDS AND CODES**

APPLICATION FOR ENERGY VARIANCE

ENERGY CONSERVATION CONSTRUCTION CODE

PETITION NO:

(FOR OFFICE USE ONLY)

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This is an application for a variance regarding applicable provisions of the New York State Energy Conservation Construction Code. To be deemed complete, the application must be signed by the petitioner or authorized agent, must contain all necessary documentation and been reviewed and accepted by our Central Office.

The completed application including at least one (1) copy of all required documents must be submitted to Albany office at the address below.

**Department of State
Division of Building Standards and Codes
Suite 1160
One Commerce Plaza
Albany, NY 12231**

REGIONAL OFFICE PHONES:

| | |
|-----------------|----------------|
| BUFFALO (north) | (716) 847-7611 |
| BUFFALO (south) | (716) 847-7612 |
| CAPITAL | (518) 477-7497 |
| ROCHESTER | (315) 587-4563 |
| KINGSTON | (845) 334-9768 |
| LONG ISLAND | (631) 952-4909 |
| NORTH COUNTRY | (518) 668-5369 |
| PEEKSKILL | (914) 734-1347 |
| SOUTHERN TIER | (585) 437-5534 |
| SYRACUSE | (315) 428-4434 |
| UTICA | (315) 793-2526 |
| WESTERN | (585) 402-3017 |

PART 1 - GENERAL INFORMATION

PETITIONER

(Check one) Owner Agent Architect or Engineer Attorney

Name: _____

Title/Company: _____

Mailing Address: _____

Telephone: _____ Fax: _____

e-mail: _____

PROPERTY City Town Village of _____ County of _____

Property: _____

Address: _____

Tax Map Number: _____

| | |
|--|---|
| Owner if other than petitioner Name _____ Street Address _____ Post Office _____ Zip _____ Telephone: _____ Fax: _____ e-mail: _____ | Code Enforcement Official Name _____ Street Address _____ Post Office _____ Zip _____ Telephone: _____ Fax: _____ e-mail: _____ |
|--|---|

Addresses for Department of State Regional Offices can be found on our web site at www.dos.ny.gov/dcea or by calling (518) 474-4073 during normal business hours.

PART 2 - MINIMUM BUILDING INFORMATION

Height in Stories _____ Gross Area (all floors) _____ Sq. Ft. Construction type _____

Occupancy: One-family Dwelling Two-family Dwelling Townhouse

Accessory structure Other

PART 3 - APPLICABLE BUILDING CODE AND RELIEF REQUESTED (Check all that apply)

Title 9 - Energy Conservation Construction Code - Applicable 1/1/1979 to 7/2/2002

Title 19 - Energy Conservation Construction Code - Applicable 7/3/2002 to present

On the chart below, list the specific code sections which are the subject of your variance request. (Use separate sheet if necessary).

| CODE SECTION(S) | TOPIC | RELIEF SOUGHT |
|-----------------|-------|---------------|
| | | |
| | | |
| | | |

I make this application pursuant to 19NYCRR Part 1240 and I assert under penalty of perjury that the information furnished by me in support of this application is true and correct to the best of my knowledge.

Previous Action:

Has any previous action related to the subject property been taken by the Department of State or another administrative agency or a court? (Include any formal interpretations, decisions or informal advisories issued by the Department of State or the New York State Division of Housing and Community renewal)

No Yes (Describe below and provide relevant documents.)

SIGNATURE _____ **DATE:** _____

PART 4 - ADDITIONAL CONTACT INFORMATION

| | |
|--|---|
| <u>Architect or Engineer (if any):</u> Name _____ Street Address _____ Post Office _____ Zip _____ Telephone: _____ Fax: _____ e-mail: _____ | <u>Other interested person or organization:</u> Name _____ Street Address _____ Post Office _____ Zip _____ Telephone: _____ Fax: _____ e-mail: _____ |
|--|---|

(Attach additional pages, if necessary)

PART 5 - BUILDING STATUS AND PROJECT INFORMATION

A. OCCUPANCY CLASSIFICATION (check all that apply for mixed use buildings)

- Residential** Detached one-two-family dwelling
 - Townhouse – (Three stories above grade, or less)
 - R-1 R-2 R-3 R-4 – (Three stories above grade, or less)

- Commercial Building** [all others]

B. BUILDING DESCRIPTION AND PROJECT INFORMATION

Statistics: Number of stories _____

Date of last Certificate of Occupancy (if available) _____

Project type / status

- New building
- Addition to existing building
- Repair
- Renovation, Alteration, Reconstruction
- Change of Occupancy
- In planning
- No official allegation of non-compliance
- Work in progress started _____ (Date)
- Work completed _____ (Date)
- Other

Permit/Compliance Status

- Building Permit Application _____ (Date)
- Building Permit _____ (Date)
- Certificate of Occupancy _____ (Date)
- Orders or Denials
- Inspection Report

Note: Attach all pertinent documents

PART 6 - SUBJECT OF THE PETITION

A standard or requirement of the Energy Conservation Construction Code of New York State may only be varied or modified, in whole or part, with regard to specific construction **where strict compliance would entail practical difficulty or cause any unnecessary hardship in relation to such construction. Any such variance or modification shall provide for alternative energy conservation standards requirements to achieve to the extent practicable the purposes of the code.**

Identify specific sections and provide a brief description of the relief requested, including a description of the practical difficulty, and alternative energy conservation standards which are proposed to be provided to compensate and satisfy New York State Energy Law Article 11-106(1):

PART 7 – DOCUMENTS

- A. **Required Documents** (Supplemental to the petition form)
Summary: Describe the project, the present conditions, the proposed work, the details of the appeal and/or variance requests, and support of the grounds for relief you checked above.
Building Plans: Drawings in sufficient quantity and quality to clearly describe the requested variance or modification. Such drawings may include dimensioned floor plans, elevations, sections and construction details. Any drawings submitted should be identical to those submitted to the code enforcement official or be noted otherwise.

- B. **Supplementary Documents** Submit such materials as photographs, charts, reports, detailed descriptions or any other information that can be used to more fully describe the nature of the request. List any such supplementary materials by Exhibit number.

| EXHIBIT NUMBER | DESCRIPTION |
|----------------|-------------|
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