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)

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
PEEKSILL           (914) 734-1347
SOUTHERN TIER      (585) 437-5534
SYRACUSE           (315) 428-4434
UTICA              (315) 793-2526
WESTERN            (585) 402-3017

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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).

<table>
<thead>
<tr>
<th>CODE SECTION(S)</th>
<th>TOPIC</th>
<th>RELIEF SOUGHT</th>
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<tbody>
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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: ___________________________
_________________________________________________________________
_________________________________________________________________

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PART 4 - ADDITIONAL CONTACT INFORMATION

<table>
<thead>
<tr>
<th>Architect or Engineer (if any):</th>
<th>Other interested person or organization:</th>
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<tbody>
<tr>
<td>Name __________________________</td>
<td>Name __________________________</td>
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<tr>
<td>Street Address __________________</td>
<td>Street Address __________________</td>
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<tr>
<td>Post Office ____________________</td>
<td>Post Office __________________________</td>
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<tr>
<td>Zip __________ ____________</td>
<td>Zip __________ ____________</td>
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<tr>
<td>Telephone: _____________________</td>
<td>Telephone: __________________________</td>
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<td>Fax: __________________________</td>
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<td>e-mail: _______________________</td>
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(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)

<table>
<thead>
<tr>
<th>Project type / status</th>
<th>Permit/Compliance Status</th>
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<tbody>
<tr>
<td>[ ] New building</td>
<td>[ ] Building Permit Application ____________ (Date)</td>
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<tr>
<td>[ ] Addition to existing building</td>
<td>[ ] Building Permit ____________ (Date)</td>
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<td>[ ] Repair</td>
<td>[ ] Certificate of Occupancy ____________ (Date)</td>
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<tr>
<td>[ ] Renovation, Alteration, Reconstruction</td>
<td>[ ] Orders or Denials</td>
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<td>[ ] Change of Occupancy</td>
<td>[ ] Inspection Report</td>
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<tr>
<td>[ ] In planning</td>
<td>[ ] Other</td>
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<tr>
<td>[ ] No official allegation of non-compliance</td>
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<tr>
<td>[ ] Work in progress started ____________ (Date)</td>
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<tr>
<td>[ ] Work completed ____________ (Date)</td>
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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.

<table>
<thead>
<tr>
<th>EXHIBIT NUMBER</th>
<th>DESCRIPTION</th>
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