



**FOR FDNY USE ONLY**

APPLICATION REC'D: DATE: \_\_\_\_\_  
BY: \_\_\_\_\_  
APPLICATION NO.: \_\_\_\_\_

BFP-MOD (06-01-20-1)

**FIRE DEPARTMENT  
BUREAU OF FIRE PREVENTION**

9 METROTECH CENTER, BROOKLYN, N.Y. 11201-3857

**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. Submit the completed application electronically through **FDNY Business**. This application must be 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). Payments shall be made electronically at **NYC's CityPay**. If determined during the plan examination that this application is considered a Complex Technical Analysis, you will be required to pay a "Complex Technical Analysis Fee."
- D. All revisions must be accompanied by a detailed cover/transmittal letter explaining the revised sections.
- E. **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.

Please call 311 and ask to speak with FDNY Business or email [FDNY.BusinessSupport@FDNY.NYC.GOV](mailto:FDNY.BusinessSupport@FDNY.NYC.GOV) for any questions regarding these applications or application filing procedures.

**1. Premises affected:**

Block No.: \_\_\_\_\_ Lot No.: \_\_\_\_\_  
Address: \_\_\_\_\_  
Affected floor(s) \_\_\_\_\_

**2. Applicant Information:**

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:**

\_\_\_\_\_

**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: \_\_\_\_\_