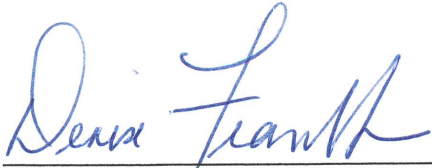


CASE NO. 1555DATE OF HEARING 9/20/26Town of Aurora Zoning Board of Appeals
575 Oakwood Avenue, East Aurora, New York 14052**Zoning Board of Appeals Application Form****I. TYPE OF REQUEST**☒ AREA VARIANCE ☐ SPECIAL USE PERMIT ☐ USE VARIANCE ☐ INTERPRETATION**II. APPLICANT/PETITIONER**Applicant's Name Dan + Denise Franklin
Address 174 Roycroft Circle
City East Aurora State NY ZIP 14052
Phone 716 597 6229 Fax — Email denisefranklin22@gmail.com
Interest in the property (ex: owner/purchaser/developer) owner**III. PROPERTY OWNER INFORMATION** (If different from applicant information.)Property Owner(s) Name(s) _____
Address _____
City _____ State _____ ZIP _____
Phone _____ Fax _____ Email _____**III. PROPERTY INFORMATION**Property Address 174 Roycroft Circle EA NY 14052
SBL# 164.16-4-21
Property size in acres .65 Property Frontage in feet 100
Zoning District R1 Surrounding Zoning R1/A
Current Use of Property Home**IV. REQUEST DETAIL**

(check all that apply)

☒ Variance from Ordinance Section(s) # 116-28A
☐ Special Use Permit for: _____
☐ Use Variance for: _____
☐ Interpretation of _____

V. SIGNATURES (This application must be signed by the applicant/petitioner. If the applicant is not the owner of the property, a separate owner authorization form must be submitted – see pg. 5)

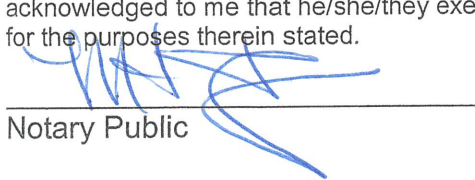
Signature of Applicant/Petitioner

Denise Franklin Dan Franklin

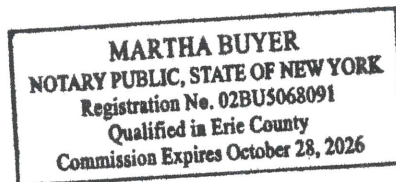
Print name of Applicant/Petitioner

State of New York; County of Erie

On the 20th day of July in the year 2024 before me, the above individual appeared, personally known to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he/she/they executed the same for the purposes therein stated.


Notary Public

(Notary stamp)



Office Use Only: Date received: _____ Receipt #: _____

Application reviewed by: _____

ECDP ZR-1 form sent to EC: _____ Hearing publication date: _____

PREVIOUS APPEAL(S):

A previous appeal to the Zoning Board of Appeals () has () has not been made with respect to this property.

Previous appeals:

Date: _____ Type of Appeal: _____ Granted _____ Denied _____

Date: _____ Type of Appeal: _____ Granted _____ Denied _____

PETITIONER'S LETTER OF INTENT

Please describe in detail the proposed project, reason the variance and/or special use permit is being requested and any additional information that may be helpful to the Zoning Board of Appeals in deciding this appeal: (attach additional pages if needed)

See attached

TO BE COMPLETED ONLY WHEN A USE VARIANCE IS BEING REQUESTED:

A Use Variance is requested because the applicable regulations and restrictions in the Zoning Code of the Town of Aurora have caused unnecessary hardship as demonstrated by the following:

- 1) I cannot realize a reasonable return on my property for each and every permitted use allowed in the current zoning classification as demonstrated by the accompanying financial evidence (provide financial evidence to support your argument).
Financial Evidence Provided Yes ____ No ____ (financial evidence is required per NYS Town Law)
- 2) Describe why your alleged hardship relating to the subject property is unique and does not apply to other properties in the zoning district or neighborhood: _____

- 3) Describe why you believe that the essential character of the neighborhood/community will not change if the Zoning Board of Appeals grants you a use variance: _____

- 4) Is your need for a use variance a result of you own actions (is your difficulty self-created)? Please explain: _____

(Attach additional pages if needed)

Town of Aurora
575 Oakwood Avenue
East Aurora, NY 14052
www.townofaurora.com

**Zoning Board of Appeals
Application
Owner Authorization**

The undersigned, who is the owner of the premises know as:

174 Roycroft Circle, EA, NY 14052, identified as Tax Map (SBL)#.....
(address)

hereby authorizes to bring an application for () area variance
() special use permit () use variance () interpretation before the Town of Aurora Zoning Board of
Appeals for review and potential approval. The undersigned further permits the Town or its authorized
representative(s) access to the property to review existing site conditions during the review process.

Denise + Dan Franklin
Owner (print)

7/20/26
Date

Denise Franklin
Owner (signature)

STATE OF NEW YORK)
COUNTY OF ERIE)

On this 20th day of July, 2026, before me, the undersigned, a notary public in and for said state,
personally appeared Denise + Dan Franklin, personally known to me on the basis of
satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and
acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their
signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted,
executed the instrument.

[Signature]
Notary Public



Request for Area Variance – Fence Replacement and Extension

Dear Members of the Town Board,

I respectfully request approval for an area variance to replace and extend the front section of my fence from the corner of my garage to the end of the existing tan fence, a distance of approximately 15 feet.

The original fence was installed many years ago and, due to the zoning requirements in place at that time, it did not extend all the way to the end of the existing tan fence. Recently, the front section of the fence was severely damaged by a fallen tree and had to be removed.

As part of replacing the damaged section, I am requesting permission to extend the fence approximately 15 feet so that it connects with the existing tan fence. This extension will create one continuous fence line rather than leaving an unnecessary gap.

This request is modest in scope and will:

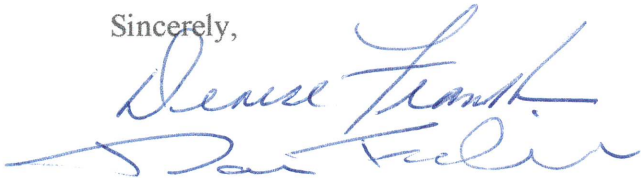
- Replace a section of fence that was lost due to storm damage.
- Complete the existing fence line with only an additional 15 feet of fencing.
- Improve the appearance of the property by creating a finished, cohesive look.
- Have no adverse impact on neighboring properties, traffic visibility, or the character of the neighborhood.

This variance is not intended to significantly alter the property or create a new use. Rather, it is a reasonable improvement that restores the property after storm damage while allowing a small extension that enhances the property's appearance, safety, and functionality.

For these reasons, I respectfully request that the Town Board approve this area variance.

Thank you for your time and consideration.

Sincerely,

The block contains two handwritten signatures in blue ink. The top signature is 'Denise Franklin' and the bottom signature is 'Dan Franklin'. Both are written in a cursive, flowing style.

Dan and Denise Franklin

SUPERVISOR
Charles D. Snyder
(716) 652-7590
csnyder@townofaurorany.gov



TOWN CLERK
Jeanne H. Viger
(716) 652-3280
townclerk@townofaurorany.gov

TOWN OF AURORA

Aurora Municipal Center

575 Oakwood Avenue, East Aurora, NY 14052

www.townofaurorany.gov

TOWN COUNCIL MEMBERS

Jessica B. Armbrust
jarmbrust@townofaurorany.gov

Benjamin T. Garvey
bgarvey@townofaurorany.gov

Joseph M. McCann
jmccann@townofaurorany.gov

Raymond M. Wrazen
rwrazen@townofaurorany.gov

SUPT. OF HIGHWAYS

David M. Gunner
(716) 652-4050
highway@townofaurorany.gov

CODE ENFORCEMENT

OFFICER
Elizabeth Cassidy
(716) 652-7591
building@townofaurorany.gov

ASSESSOR

Stephen R. Pigeon
(716) 652-0011
assessor@townofaurorany.gov

DIR. OF RECREATION

Christopher Musshafen
(716) 652-8866
chris@townofaurorany.gov

TOWN ATTORNEY

Brigid M. Maloney

TOWN JUSTICE

Jeffrey P. Markello
James Granville

HISTORIAN

Robert L. Goller
(716) 652-7944
historian@townofaurorany.gov

FAX: (716) 652-3507

Denise & Dan Franklin
174 Roycroft Circle
East Aurora, NY 14052

August 5, 2026

Denise & Dan,

The Building Department has reviewed request to replace the damaged fence in your front yard with a 6' privacy fence. The request has been denied because it fails to meet the code requirements for fences in the Town.

Section 116-28A

Requirement: A wall or fence not over 3.5' high in any front yard or side street side yard.
Requested: Approximately 30 lin ft of new fence and 12' of existing privacy fence at 6'
Variance: 2.5'

This letter serves as notice that we have received the application and fee for the Zoning Board of Appeals. You will receive notification from the Town Clerk with the date and time of the next available hearing. If you have any questions, please contact our office at 652-7591.

Sincerely,

A handwritten signature in black ink, appearing to read "Elizabeth Cassidy".

Elizabeth Cassidy
Code Enforcement Officer

This institution is an equal

opportunity provider and employer.

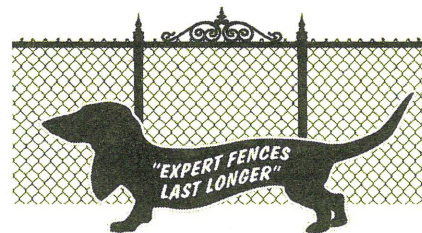
Expert Fence Co., Inc.

www.expertfenceco.com

2889 Southwestern Blvd

Orchard Park, NY 14127

Ph: 716-675-7737 Fax: 716-675-7738



Date: 6/23/26

Name: Dan Franklin

Address: 174 Runcraft

City & Zip: East Aurora, N.Y. 14052 Approx. start: 12-13 weeks

Home phone: _____ Cell phone: 984-2313

CEF Vinyl	Sketch:	Chain Link
Style: <u>LolGelo</u>		Total FT:
Total FT: <u>61'</u>		Height:
Height: <u>5'</u>		Fabric:
Gates: <u>1-4'</u>		Terms:
Color: <u>Almond</u>		Lines:
Caps: <u>N/E</u>		Top Rail:
Other:		Gates:
		Ten. Wire:
		Barb Wire:
		Other:
AG Ornamental		Wood:
Style:		Total FT:
Total FT:		Type wood:
Height:		Height:
Posts:		Style:
Gates:		Gates:
Color:		Facing in/out:
Other:	Notes:	Other:

Instructions	Y/N
Take down fence	<u>yes</u>
Haul away	<u>yes</u>
Survey needed	<u>yes</u>
Old fence line	<u>yes</u>
Holes through	<u>no</u>
Stakes by owner	<u>no</u>

Total: \$4550.00
 Sales tax: 7/E
 Total w/tax: \$4550.00
 Deposit: 0
 Balance: \$4550.00

Balance due on completion!

* 2% charge per month on accounts over 30 days

All quotes subject to office acknowledgment. Customer agrees to furnish survey and building permit. If survey is not provided, customer assumes full responsibility of fence location. Customer is responsible for identifying underground utilities not marked by underground locating including but not limited to: private electric and gas, sprinkler heads, pool lines, and drain tiles. Expert Fence Co. will not be liable for unmarked lines. Soil remains on site. There are no verbal agreements. In the event the fence is not paid for as agreed, Expert Fence Co. has the right to remove the fence at the customers expense. No cancellations on special orders! No guarantee on warping, shrinking, and checking on any wood fence.
 Expert Fence warrants the installation of your fence for a period of (2) years from completion date. Initials: _____

Estimated by: Jeffrey A. Brown Accepted by: [Signature]







Short Environmental Assessment Form

Part 1 - Project Information

Instructions for Completing

Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 – Project and Sponsor Information			
Name of Action or Project: rebuild fence			
Project Location (describe, and attach a location map): 174 Roycroft Circle, EA 14052			
Brief Description of Proposed Action: To rebuild fence that was damaged by a falling tree -			
Name of Applicant or Sponsor: Dant Denise Franklin		Telephone: 716 597 6269	
		E-Mail: denisefranklin22@gmail.com	
Address: 174 Roycroft Circle			
City/PO: EA		State: NY	Zip Code: 14052
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation?		NO	YES
If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.		☒	☐
2. Does the proposed action require a permit, approval or funding from any other government Agency?		NO	YES
If Yes, list agency(s) name and permit or approval:		☒	☐
3. a. Total acreage of the site of the proposed action?		.65 acres	
b. Total acreage to be physically disturbed?		.61 ~~unft~~ acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		.65 acres	
4. Check all land uses that occur on, are adjoining or near the proposed action:			
☐ Urban ☐ Rural (non-agriculture) ☐ Industrial ☐ Commercial ☒ Residential (suburban)			
☐ Forest ☐ Agriculture ☐ Aquatic ☐ Other(Specify):			
☐ Parkland			

5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?	☐	☒	☐
b. Consistent with the adopted comprehensive plan?	☐	☒	☐
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	☐	☒	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?	NO	YES	
If Yes, identify: _____	☒	☐	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
	☒	☐	
b. Are public transportation services available at or near the site of the proposed action?	☒	☐	
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	☒	☐	
9. Does the proposed action meet or exceed the state energy code requirements?	NO	YES	
If the proposed action will exceed requirements, describe design features and technologies: _____ _____	☒	☐	
10. Will the proposed action connect to an existing public/private water supply?	NO	YES	
If No, describe method for providing potable water: <u>N/A</u> _____	☒	☐	
11. Will the proposed action connect to existing wastewater utilities?	NO	YES	
If No, describe method for providing wastewater treatment: <u>N/A</u> _____	☒	☐	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?	NO	YES	
	☒	☐	
b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	☒	☐	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	NO	YES	
	☒	☐	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?	☒	☐	
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____			

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: ☐ Shoreline ☐ Forest ☐ Agricultural/grasslands ☐ Early mid-successional ☐ Wetland ☐ Urban ☒ Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES
	☒	☐
16. Is the project site located in the 100-year flood plan?	NO	YES
	☒	☐
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes,	NO	YES
a. Will storm water discharges flow to adjacent properties?	☒	☐
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?	☒	☐
If Yes, briefly describe: _____ _____		
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment: _____ _____	NO	YES
	☒	☐
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____ _____	NO	YES
	☒	☐
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____ _____	NO	YES
	☒	☐
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor/name: <u>Dan & Denise Franklin</u> Date: <u>7/31/26</u> Signature: <u>Dan & Denise Franklin</u> Title: _____		

Warranty Deed with Lien Covenant

This Indenture,

Made the 22 day of August Two Thousand and Nineteen

Between

MOLLY DUGGAN and ERIC SCHNIREL, as wife and husband, residing at 174 Roycroft Circle, East Aurora, New York 14052

D. D. Duggan and Denise Franklin
Grants and wife
178 200th Rd Lancaster, NY 14086
Grantees

Witnesseth, that the said Grantees, in consideration of One and More Dollars (\$1.00 and more) lawful money of the United States, paid by the Grantees do hereby grant and release unto the Grantees, heirs, and assigns forever.

All that Tract or Parcel of Land, situate in the Town of Aurora, County of Erie and State of New York, being part of Lot No. 24, Township 9, Range 6 of the Holland Land Company's Survey and according to map filed in Erie County Clerk's Office under Cover No. 1933, its known as Subdivision Lot "P", situate on the east side of Roycroft Circle.

Premises commonly known as 174 Roycroft Circle, East Aurora, New York 14052

TOGETHER with the appurtenances and all the estate and rights of the Grantees in and to the said premises.

TO HAVE AND TO HOLD, the above granted premises unto the said Grantees.

AND the said Grantees does Covenant with said Grantees as follows:

FIRST. - That the Grantees shall quietly enjoy the said premises.

SECOND. - That the Grantees will forever WARRANT the title to said premises.

THIRD. - Subject to the trust fund provisions of section thirteen of the lien law.

181719
Dec-2
AUR

IN WITNESS WHEREOF, The said Grantors has hereto set his hand the day and year first above written.

IN PRESENCE OF

Molly Duggan
Molly Duggan

E. Schurel
Eric Schurel

STATE OF NEW YORK)
COUNTY OF ERIE) SS.:

On the 22 day of August, in the year 2019, before me, the undersigned, personally appeared MOLLY DUGGAN, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument, and she acknowledged to me that she executed the same in her capacity, and that by her signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

TORRELLA M. TORCELLLO
Notary Public

TORRELLA M. TORCELLLO
Notary Public, State of New York
No. 00705104187
Commission Expires March 31, 2022.

STATE OF NEW YORK)
COUNTY OF ERIE) ss.:

On the 22 day of August, in the year 2019, before me, the undersigned, a notary public in and for said state, personally appeared ERIC SCHUREL, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual, acted, executed the instrument.

TORRELLA M. TORCELLLO
Notary Public

TORRELLA M. TORCELLLO
Notary Public, State of New York
No. 00705104187
Commission Expires March 31, 2022.

Doc #7216161

ERIE COUNTY CLERK'S OFFICE



County Clerk's Recording Page

Return to:

D FRANKLIN
174 ROYCROFT CIR
E AURORA, NY 14052

Party 1:
DUGGAN MOLLY

Party 2:
FRANKLIN DANIEL R

Book Type: D Book: 11348 Page: 7836

Page Count: 3

Doc Type: DEED

Rec Date: 08/23/2019

Rec Time: 01:03:07 PM

Control #: 2019181719

UserID: Janet H

Trans #: 19138985

Document Sequence Number

TT2019001737

Recording Fees:

RECORDING \$35.00
COE CO \$1 RET \$1.00
COE STATE \$14.25 GEN \$14.25
COE STATE \$4.75 RM \$4.75
RP5217 CNTY \$9 \$9.00
RP5217 ST-RES \$116 \$116.00
TP584 \$10.00

Consideration Amount: 282000.00

BASIC MT \$0.00
SONYMA MT \$0.00
ADDL MT/NFTA \$0.00
SP MT/M-RAIL \$0.00
NY STATE TT \$1,128.00
ROAD FUND TT \$1,410.00

Total: \$2,728.00

STATE OF NEW YORK
ERIE COUNTY CLERK'S OFFICE

WARNING - THIS SHEET CONSTITUTES THE CLERK'S ENDORSEMENT REQUIRED BY SECTION 319&316-a (5) OF THE REAL PROPERTY LAW OF THE STATE OF NEW YORK. DO NOT DETACH. THIS IS NOT A BILL.

Michael P. Kearns
Erie County Clerk

PROPERTY INFORMATION

1. Property Location

174
East Aurora

2. Buyer Name

Franklin
Franklin

3. Tax Billing Address

Indicate where Value Tax Bill is to be sent (If other than buyer address, bottom of form)

4. Indicate the number of Assessed Parcel pieces transferred on the deed

1 # of Parcel

5. Deed Property

110

6. Seller Name

Duggan
Schulze

7. Select the description which most accurately describes the use of the property at the time of sale:

A. Once Family Residential

8. Full Sale Price

282,000

9. Full Sale Price

282,000

10. Tax Map Identification (Identify the parcel by its map number and section number. This information is found on the map of the property. If the property is not on the map, please indicate the map number and section number.)

164.16-4-21

11. Year of Assessment Roll from which information taken?

19

12. Property Class

210

13. Tax Map Identification (Identify the parcel by its map number and section number. This information is found on the map of the property. If the property is not on the map, please indicate the map number and section number.)

164.16-4-21

14. Indicate the value of personal property included in the sale

.00

15. Year of Assessment Roll from which information taken?

19

16. Property Class

210

17. Tax Map Identification (Identify the parcel by its map number and section number. This information is found on the map of the property. If the property is not on the map, please indicate the map number and section number.)

164.16-4-21

18. Full Sale Price

282,000

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