

#043-23

Application # \_\_\_\_\_

**CITY OF STAMFORD  
ZONING BOARD OF APPEALS**

Stamford Government Center  
888 Washington Blvd.  
P.O. Box 10152  
Stamford, CT 06904-2152

Telephone 203.977.4160 - Fax 203.977.4100 - E-mail [mjudge@stamfordct.gov](mailto:mjudge@stamfordct.gov)

**PLEASE PRINT ALL INFORMATION IN INK**

**1. I/we hereby apply to the Zoning Board of Appeals for:**

- Variance(s)
- Special Permit
- Appeal from Decision of Zoning Enforcement Officer
- Extension of Time
- Gasoline Station Site Approval
- Motor Vehicle Approval:

New Car Dealer  Used Car Dealer  General Repairer  Limited Repairer

**2. Address of affected premises:**

38 Benstone Street, Stamford, CT 06905  
street zip code

Property is located on the north  south  east  west(x) side of the street.

Block: 324 Zone: R-71/2 Sewered Property  yes  no

Is the structure 50 years or older  yes  No

Corner Lots Only: Intersecting Street: N/A  
Within 500 feet of another municipality: No  Yes  Town of \_\_\_\_\_

**3. Owner of Property:** Filippe Magrath and Amy Magrath

Address of Owner: 38 Benstone Street, Stamford, CT Zip 06905

Applicant Name: Filippe Magrath

Address of Applicant 38 Benstone Street Zip 06905

Agent Name: Joseph J. Capalbo, II

Address of Agent: 1100 Summer Street, Stamford, CT Zip 06905

EMAIL ADDRESS: jjclaw@cshore.com  
(Must be provided to receive comments from letters of referral)

Telephone # of Agent (203) 324-8882 Telephone # of Owner (203) 223-6040

(CONTACT IS MADE WITH AGENT, IF ONE)

4. List all structures and uses presently existing on the affected property:

There presently exists a single family residence on the subject property.

5. Describe in detail the proposed use and give pertinent linear and area dimensions:

Applicant is proposing an addition to the north side of the existing residence 29' 9" by 23'.

**VARIANCES (complete this section for variance requests only) See a Zoning Enforcement Officer for help in completing this section**

Variance(s) of the following section(s) of the Zoning Regulations is requested (provide detail of what is sought per the applicable section(s) of the Zoning Regulations):

Applicant requests a variance of Table III, Appendix B of the Stamford Zoning Regulations

for the R-71/2 zone to permit a rear yard of 27.8' in lieu of the required 30 feet.

ZONING ENFORCEMENT APPROVAL  
For Submission To Zoning Board Of Appeals

Sheet 1 of 1  
Authorized Signature [Signature] Date 10/27/23

DO NOT WRITE ON BACK OF PAGE

Variances of the Zoning Regulations **may** be granted where there is unusual hardship in the way of carrying out the strict letter of the Regulations solely with respect to a parcel of land where conditions especially affect such parcel but do not affect generally the district in which it is situated. In your own words:

A. Describe the unusual hardship in being unable to carry out the strict letter of the Zoning Regulations:

The subject premises is in the shape of a trapezoid causing a slight encroachment at one corner of the improvements. Also, the City issued a permit for the structure which may have been designed incorrectly resulting in the encroachment discovered during the preparation of the "as built" survey.

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B. Explain why the variance(s) is/are the minimum necessary to afford relief:

The encroachment is minimal. Also, the existing structure is presently 22.5' from the rear yard making the proposed structure less intrusive than already exists.

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C. Explain why granting of the variance(s) would not be injurious to the neighborhood.

The dwelling currently exists and the proposed addition encroaches no more than already exists.

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**SPECIAL PERMIT**

(Complete this section **only** for special exceptions)

SPECIAL EXCEPTION is requested as authorized by Section(s) N/A of the Zoning Regulations.

Provide details of what is being sought:

N/A

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**MOTOR VEHICLE APPLICATIONS**

(Complete this section only for Motor Vehicle/Service Dealers Applications) Provide details of what is being sought.

N/A

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**APPEALS OF THE DECISION OF THE ZONING ENFORCEMENT OFFICER**

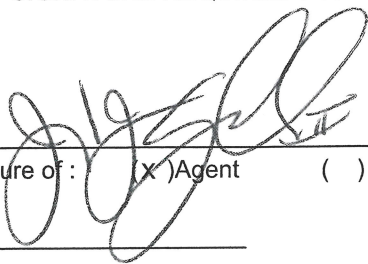
(Complete this section **only** for appeals of zoning enforcement officer decision)

DECISION OF THE ZONING ENFORCEMENT OFFICER dated   N/A   is appealed because:

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**SIGNATURE REQUIRED FOR ALL APPLICATIONS**



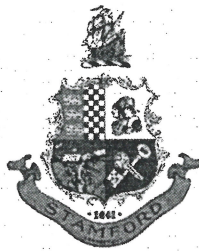
Signature of:     Agent    ( ) Applicant    ( ) Owner

Date Filed:   10/27/23  

Zoning Enforcement Officer Comments:

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**CITY OF STAMFORD  
ZONING BOARD OF APPEALS**

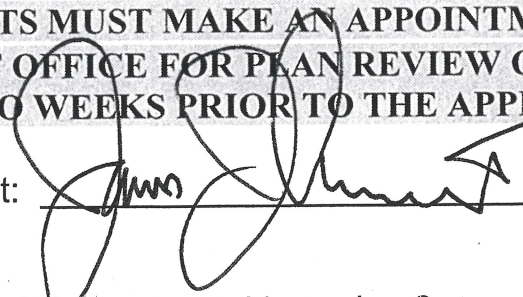
**APPLICATION PACKET**

Board Members  
**Joseph Pigott, Chair**  
**Claire Friedlander**  
**Lauren Jacobson**  
**George Dallas**

Alternate  
**Ernest Matarasso**  
**Matthew Tripolitsiotis**  
**Jeremiah Hourihan**

Land Use Administrative Assistant  
**Mary Judge**

**ALL APPLICANTS MUST MAKE AN APPOINTMENT WITH THE ZONING ENFORCEMENT OFFICE FOR PLAN REVIEW OF ZBA APPLICATIONS AT LEAST TWO WEEKS PRIOR TO THE APPLICATION DEADLINE.**

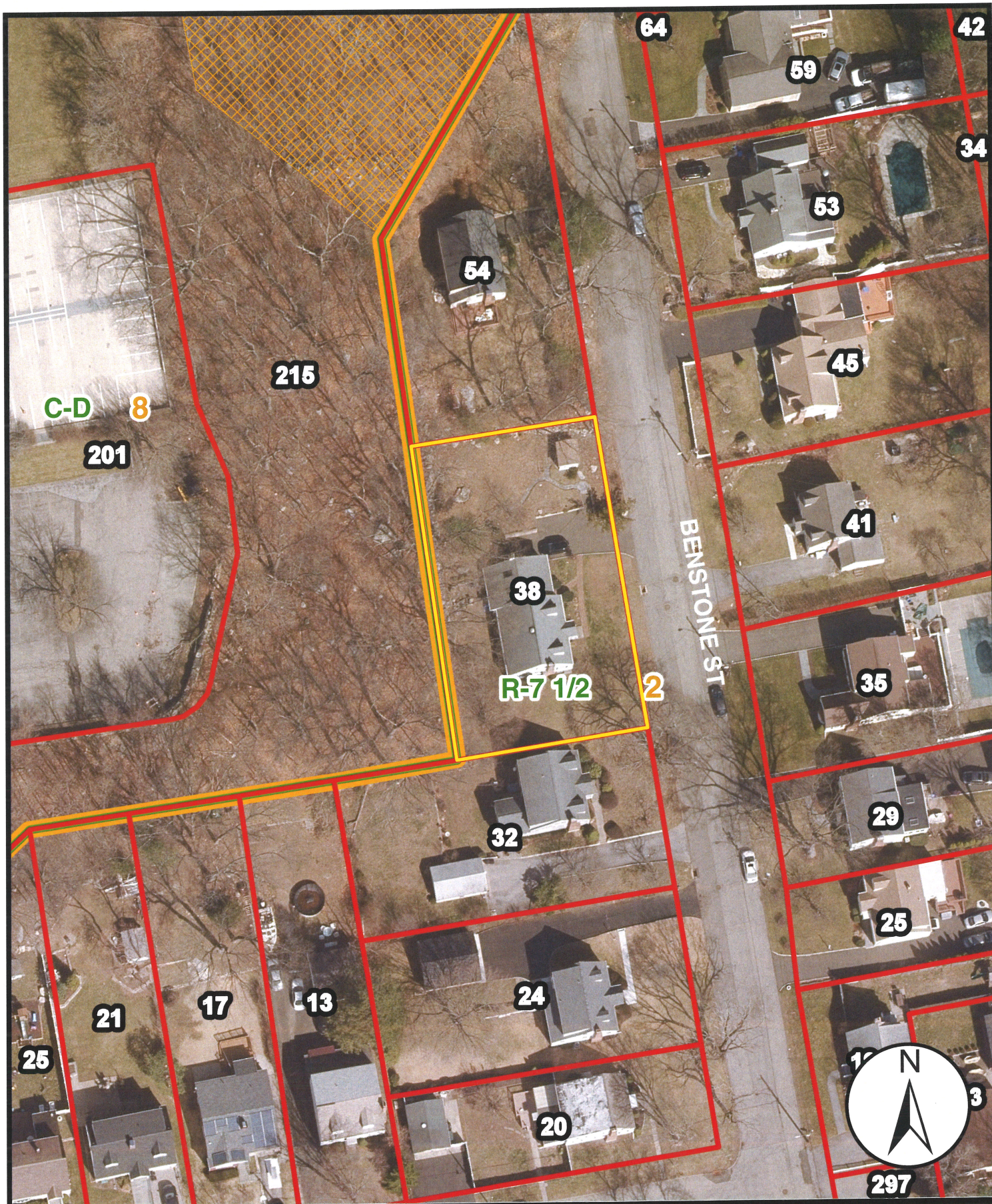
Zoning Enforcement:  Date: 10/27/23

Is the project situated in the coastal boundary? Yes ( ) No ()

Is the project exempt from the coastal regulation?  
Yes ( ) Exemption # \_\_\_\_\_ No ( ) N/A ( )

Environmental Protection: \_\_\_\_\_ Date: \_\_\_\_\_

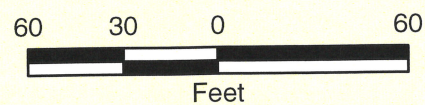
CAM Review by: Zoning Board  ZBA



**ZBA Application #043-23**  
**38 Benstone Street**

Date: 11/7/2023

1 inch = 58 feet



R-7 1/2 ZONE

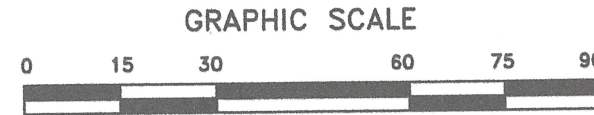
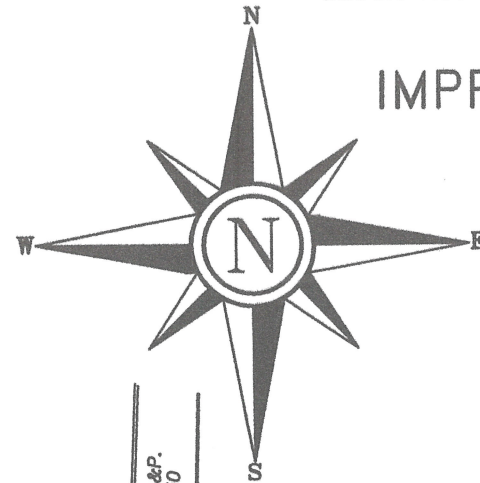
BLOCK NO. 324

# IMPROVEMENT LOCATION SURVEY - EXISTING

PREPARED FOR

## FILIPPE S. & AMY T. MAGRATH

STAMFORD, CONNECTICUT



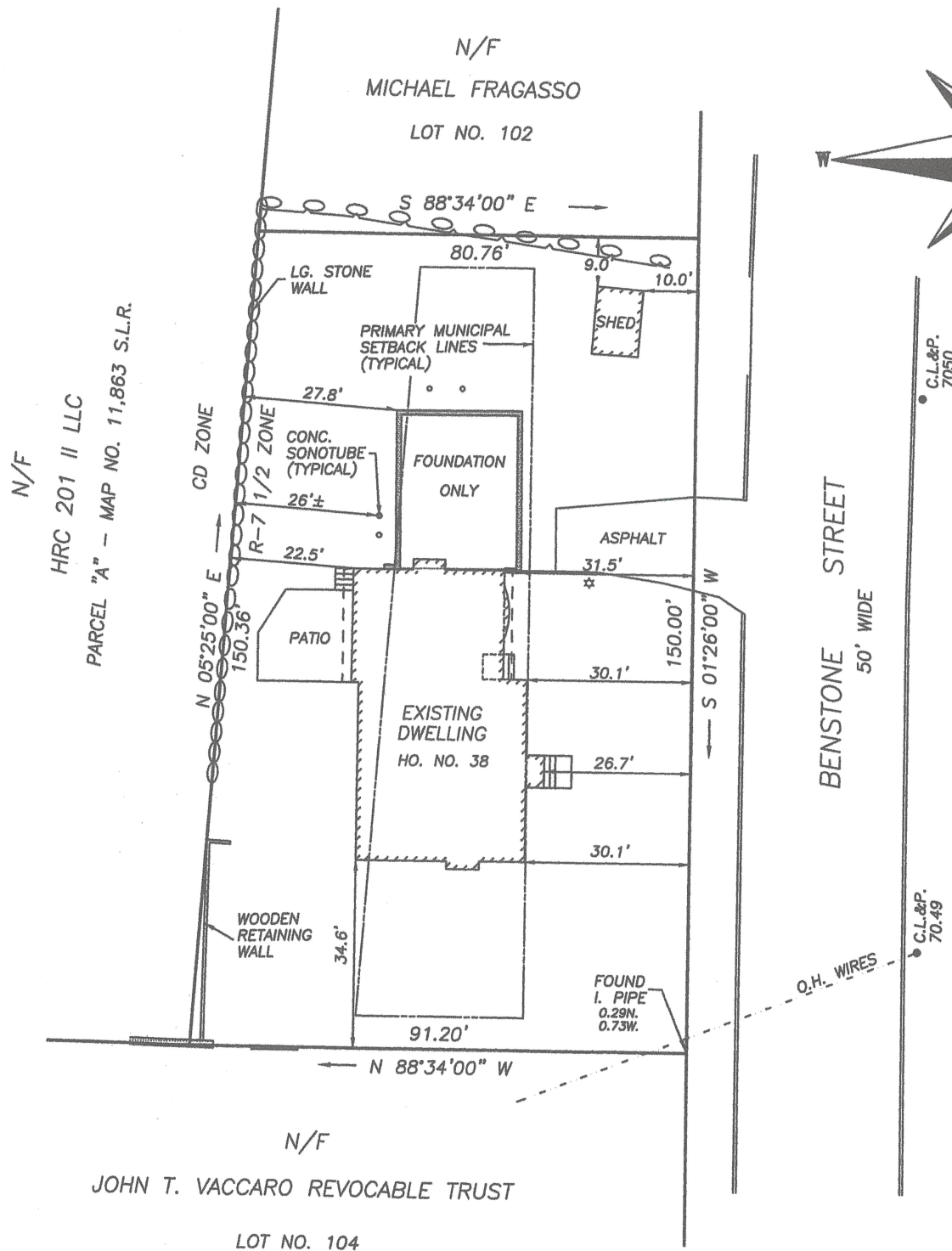
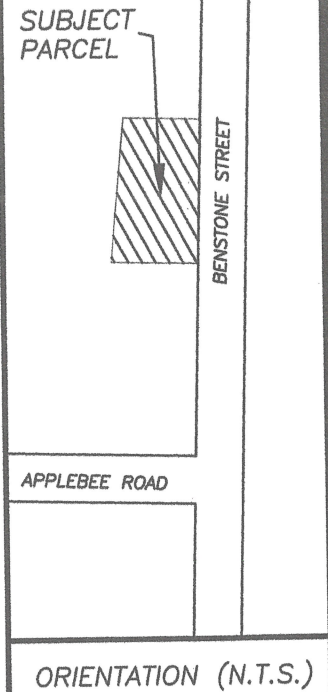
1"=30' (IN FEET)

**#043-23**

**NOTE:**

AREA = 12,896 Sq. Ft.

- REFER TO LOT NO. 103 MAP NO. 839 S.L.R.
- EX. DWELLING & SHED COVERS 13.6% OF THE TOTAL LOT AREA.
- EX. DWELLING, SHED, & FOUNDATION COVERS 19.0% OF THE TOTAL LOT AREA.
- PROPERTY SUBJECT TO PRIVATE RESTRICTIONS OF RECORD, IF ANY.
- SUBSTRUCTURES AND/OR THEIR ENCROACHMENTS, IF ANY, ARE NOT SHOWN.
- SUBJECT TO ELECTRIC AND/OR TELEPHONE CO. EASEMENTS UNDERGROUND OR OVERHEAD.
- NO ABSTRACT OF TITLE PROVIDED.
- PROPERTY MAY BE SUBJECT TO ANY OR ALL NOTES APPEARING IN REFERENCED MAPS HEREON IF APPLICABLE.
- EXTERIOR FEATURES AND/OR THEIR ENCROACHMENTS, IF ANY, ARE NOT SHOWN.



F.B. 97 PG. 28 & PG. 34

DRAWN BY:	E.P.Jr.	DATE:	04/28/2022
CHECKED BY:	R.T.H.	DRAWING NO.:	220422.DWG
JOB NO.:	220422	SHEET	1 OF 1

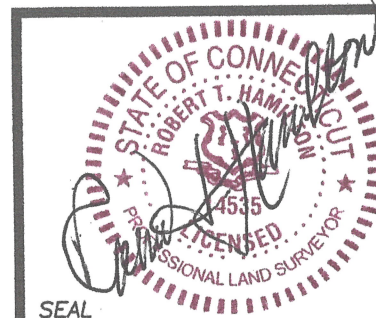
**SURVEY SPECIFICATIONS:**

The type of survey performed hereon is a "IMPROVEMENT LOCATION SURVEY"  
Boundary determination/opinion is based on "DEPENDENT RESURVEY"

To the best of my knowledge & belief this map is substantially correct as noted hereon, and this survey was prepared in accordance with the standards of a Class A-2 survey as defined in Sections 20-300b-1 through 20-300b-20 of the Regulations of Connecticut State Agencies- "Minimum Standards for Surveys and Maps in the State of Connecticut."



**ROBERT T. HAMILTON**  
PROFESSIONAL LAND SURVEYORS L L C  
Stamford, Connecticut  
Phone (203) 322-1975 Fax (203) 329-2155



*Robert T. Hamilton*

REVISIONS / PRINTS

NO.	DATE	DESCRIPTION	BY
2	10/05/2023	FOUNDATION, COVERAGE, & ORIENTATION ADDED	V.O.
1	04/29/2022	APPROVAL PRINTS ISSUED	R.T.H.

412

EXISTING 1 1/2 STORY DWELLING

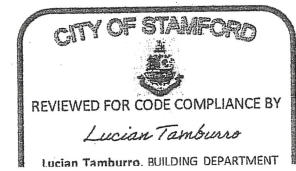
TWO STORY ADDITION TO DWELLING



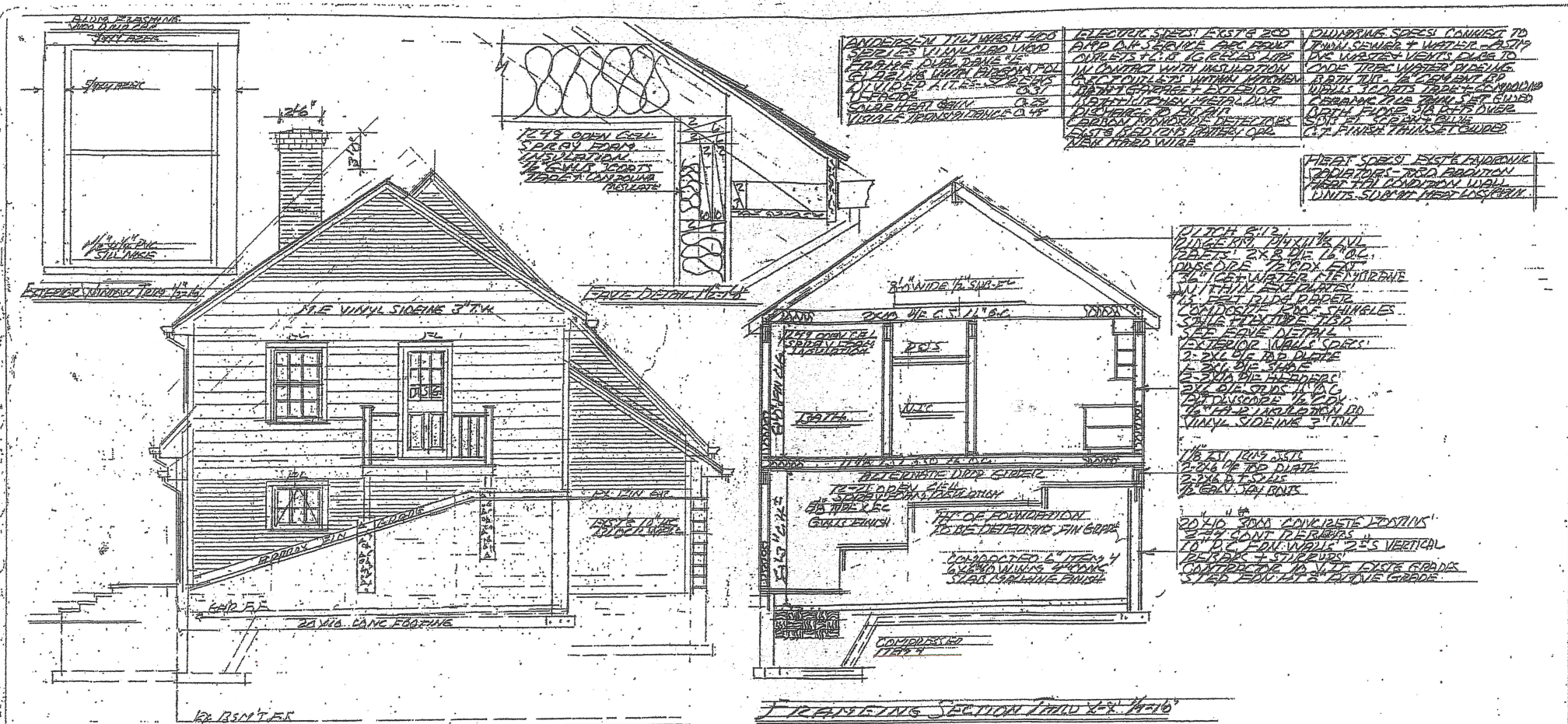
PROPOSED EAST ELEVATION PLAN 4/16

DATE	5-18-2022
ADDITION & ALTERATION TO DWELLING	
1710 S. WILSON PULLIN TRACT	
1710 STONE ST	STAMFORD CT

#043-23







PROPOSED NORTH ELEVATION PLAN 11/16

FRAMING SECTION 11/16

ADDITION & ALTERATION TO EXISTING  
 1747 W. 11th ST  
 STAMFORD, CT

#043-23

