


TO: Elinor Carbone, Mayor
City Council
FROM: Michael F. Magistrali, Corporation Counsel
DATE: February 1, 2024
RE: Building Permit Refund



MEMO

1. Building Permit #: PMT19-000286
Property Owner – Korca Enterprises LLC
Property address – 1347 East Main Street

On March 18, 2019 a Building Permit was issued to Illir's Construction LLC , a copy of which is attached hereto. The permit fee was \$1,173.80.

The work was not started within six (6) months of the issue date of the permit and the permit consequently expired as confirmed in an email from the building department, a copy of which is also attached hereto. At present, the owner of the property, through the same applicant, has reapplied for a new building permit for the same work and he is requesting a refund of the fees charged in connection with the 2019 permit. Because the state fees are not refundable the total allowed to be refunded is \$1,003.00. The Charter/Ordinances provide a mechanism for this in Sec. 84-4 C:

*C. Any refund of building permit fees of \$100.00 or less shall be at the discretion of the Building Official. Any refund greater than \$100.00 shall be at the discretion of the City Council. Any and all refunds shall be paid to the **owner of record** of the property.*

Note that the refund, if any, must go to the "owner of record" not the permittee, who in most cases has paid the fee. In this case should the Council authorize the refund it must be paid to the owner of record, Korca Enterprises LLC, not the permittee, Illir's Construction LLC.

I recommend that the Building Department be authorized to refund the permit fee of \$1,003.00 to Korca Enterprises LLC, owner of record of 1347 East Main Street.



City of Torrington
Building Department
140 Main Street
Torrington, CT 06790

Request for Refund of Permit Fees

Date: 1/31/2024

Property Address: 1347 East Main Street

Permit Tracking Number: B19-251

Fees to Be Refunded:

City Fees: \$ 973.00

Certificates: \$ 30.00

TOTAL: \$ 1003.00

Reason for Request:

Permit expired; work not performed.

* \$20.80 state education fee and \$150.00 plan review fee are non-refundable. *

Homeowner / Contractor Signature:

Print Name:

KORCA ENTERPRICES LLC

On this 1/31/24 day of January, before me, the undersigned notary public, personally appeared Ilir Dytza who proved to me through satisfactory evidence of identification to be the person whose name is signed above, and acknowledged to me that they signed said document voluntarily.

State of Connecticut, County of Litchfield

My Commission Expires: 1-31-2026

Signature of Notary Public

2024 JAN 31 PM 1:10

RECEIVED FOR RECORD
TORRINGTON TOWN CLERK

Corp. Counsel,
Building,
Clerk

Michael Magistrali

From: Brenda Summers
Sent: Thursday, February 1, 2024 10:19 AM
To: Michael Magistrali
Cc: Kevin Gillette; James Rosa
Subject: FW: Korca Enterprises request for refund
Attachments: 20240201101032.pdf

Good morning,

Yes, the initial Request for Refund of Permit Fees Form was completed by our Department. The 2019 Building Permit expired before any of the work was performed. Attached is a copy of the original Building Permit. Mr. Qyteza has already begun re-applying for a new Building Permit for the same work, as he would like to start this project in the spring.

Please feel free to contact our office if you have any questions.

Best regards,

Brenda Summers
City of Torrington Building Dept
860-489-2245

From: Kevin Gillette <Kevin_Gillette@torringtonct.org>
Sent: Thursday, February 1, 2024 9:46 AM
To: Brenda Summers <Brenda_Summers@torringtonct.org>; James Rosa <James_Rosa@torringtonct.org>
Subject: FW: Korca Enterprises request for refund

Best Regards,

Kevin Gillette, B.O. , E.I.
Building Official
City of Torrington
Ph. 860-489-2245
Fax. 860-489-2233
Kevin_Gillette@TorringtonCT.org

From: Michael Magistrali <Michael_Magistrali@torringtonct.org>
Sent: Thursday, February 1, 2024 9:41 AM
To: Kevin Gillette <Kevin_Gillette@torringtonct.org>
Cc: Barbara Saladin <Barbara_Saladin@torringtonct.org>
Subject: Korca Enterprises request for refund

Kevin: I'm looking at this Request for Refund and also looking at how the prior corporation counsel handled these. It looks like he sent a memo to the City Council that included a copy of the building permit showing the fees that were



City of Torrington
BUILDING PERMIT

P

Tracking # B19-251

PERMIT #: PMT19-000286

DATE ISSUED: 3/18/2019

Owner Information	Contractor Information
KORCA ENTERPRISES LLC 33 WINDSOR LN NEW HARTFORD, CT 06057	Ilir's Construction LLC 33 Windsor Ln. New Hartford, CT 06057
Applicant Information	Lia. Policy# Expire W/C Policy# Expire
Ilir's Construction LLC 33 Windsor Ln. New Hartford CT 06057	License #: 559889 Expire 11/30/2018 License Type: Home Improvement
Owner Authorization ? <input type="checkbox"/> YES Contractor has W/C? <input type="checkbox"/> YES	

SITE INFORMATION		
Property Location 1347 E MAIN ST	M/B/L 137/002/004	Assess.ID: 011402
Tenant	Tenant Address	
Current Use:	Zoning District LB -Local Business	

JOB DESCRIPTION	
Project Type Commercial - Addition	Type of Structure: Commercial Building
Occupancy Type: A-2 Assembly	Use: 5 B
	Square Footage:
NATURE OF WORK: Addition 2300 sq 1 (one) floor addition on slab and 4' foundation with flat roof	
THE FOLLOWING CONDITIONS/RESTRICTIONS ARE A PART OF THIS PERMIT: See Plan Review by Ed Scarpati	

THIS PERMIT IS ISSUED IN ACCORDANCE WITH THE CT. BUILDING CODE AND ORDINANCES OF THE CITY OF TORRINGTON. ALL WORK DONE MUST CONFORM TO THE INFORMATION AS REPRESENTED IN YOUR APPLICATION DATED 2/25/2019. DEVIANCE FROM THE PERMIT AS ISSUED MAY RESULT IN FINE AND/OR OTHER REMEDIAL ACTIONS.

EXPIRATION DATE: PERMIT WILL BECOME NULL AND VOID IF CONSTRUCTION WORK IS NOT STARTED WITHIN SIX MONTHS OF ISSUE DATE, PER SECTION 105.5

ESTIMATED COST: \$80,000.00	TOTAL FEES: \$1,173.80	Disposition By Ed Scarpati
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[Signature]
3/19/19
Building Official

(PERMIT - APPLICANT COPY)