

**25-65VZ | I 4 CORTE
DEL ASOLO**

General Information

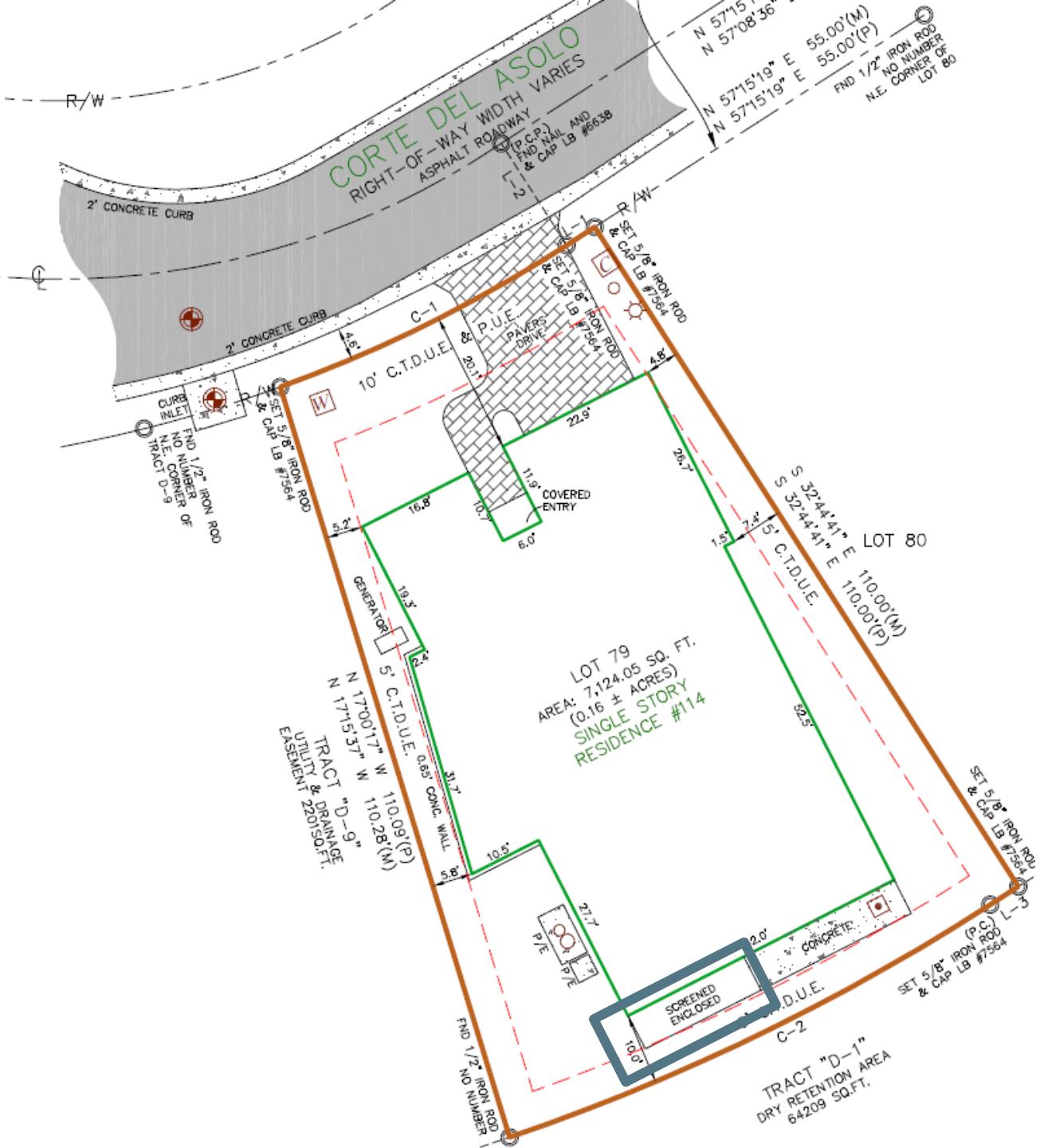
Address:	114 Corte del Asolo
Request:	Seeking variance from Sec. 87-3.I.9.C.2 requiring a five foot setback for screened enclosures
Owner:	Joel & Julia Heseman
Agent:	Andrew Conaboy, Esq., Berlin Patten Ebling, PLLC
Parcel ID:	0428040025
Parcel Size:	<u>+7,124.05</u> square feet
Future Land Use:	Low Density Residential
Zoning:	Residential, Single-Family 3
Comprehensive Plan Neighborhood:	Island Neighborhood
Application Date:	October 23, 2025



PROJECT DESCRIPTION

- The subject property is located at 114 Corte del Asolo (Bellagio neighborhood on the Island)
- There is an existing screened enclosure that encroaches into the five-foot setback by inches
- Owner requests a variance for this existing structure to prevent issues with selling the property in the future

SURVEY





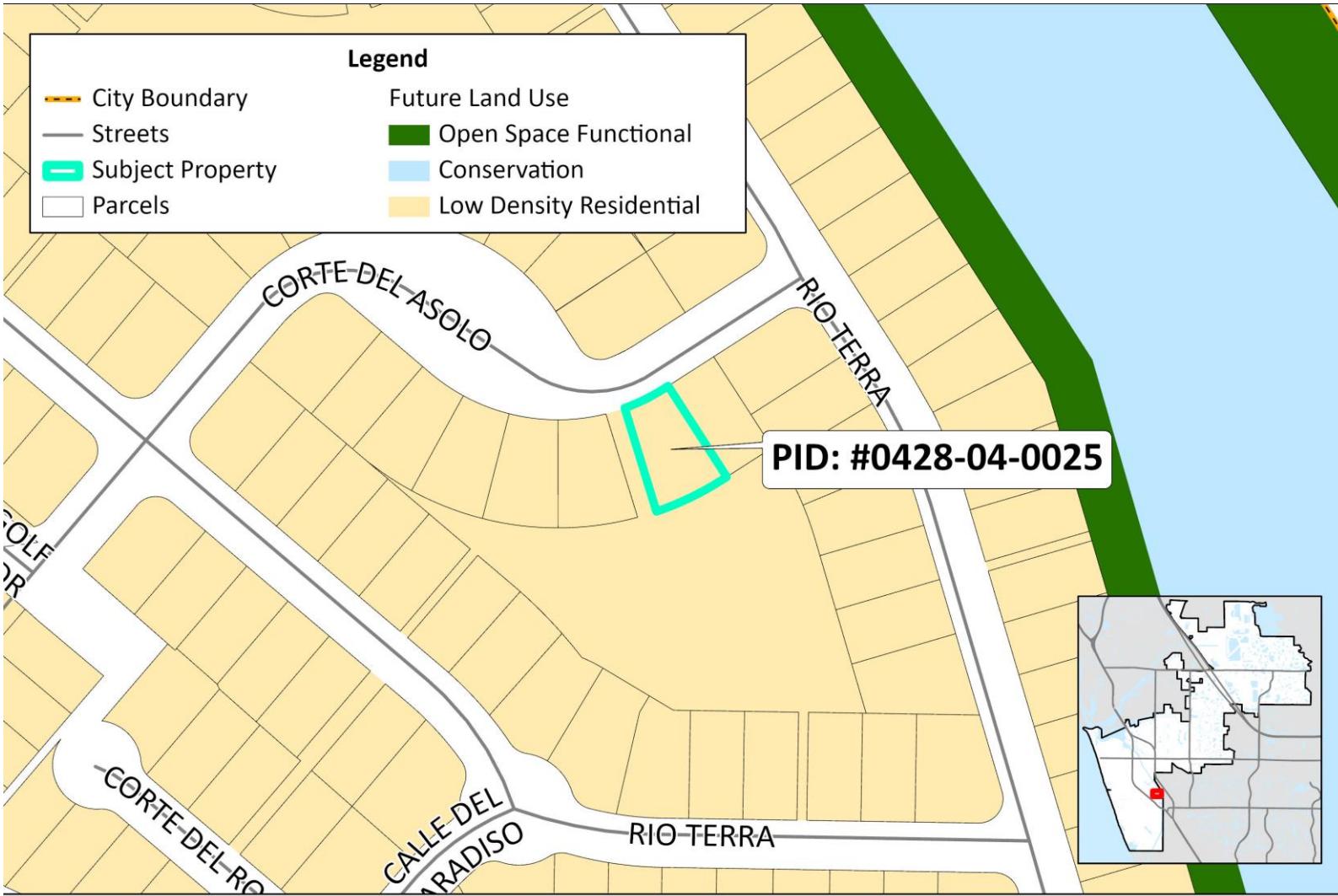
114 Corte Del Asolo
Aerial Map

AERIAL MAP



EXISTING CONDITIONS

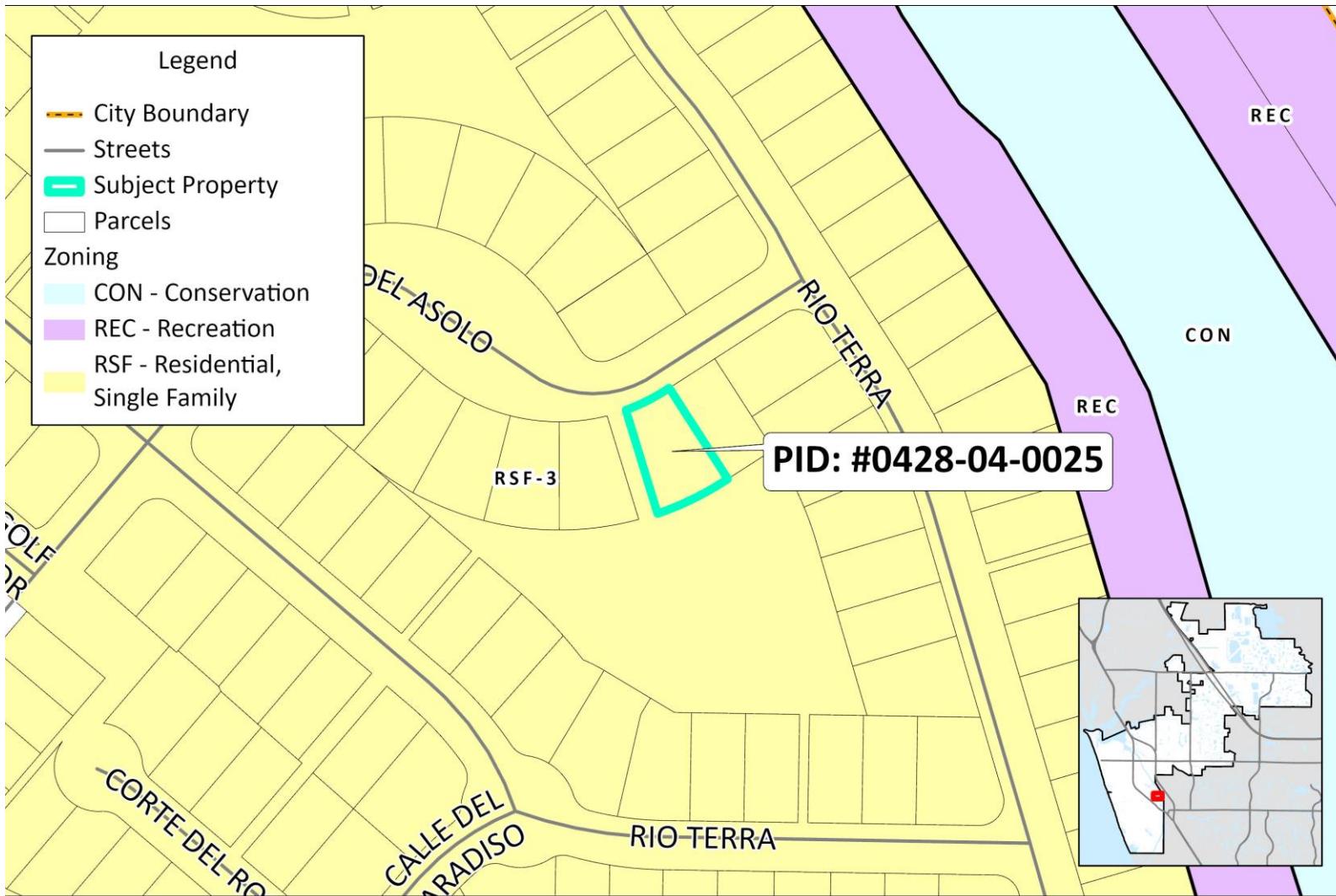
FUTURE LAND USE MAP, ZONING MAP



114 Corte Del Asolo
Future Land Use Map

100 50 0 100 Feet





114 Corte Del Asolo

Zoning Map

ZONING MAP



PLANNING ANALYSIS

LAND DEVELOPMENT CODE



COMPLIANCE WITH THE LAND DEVELOPMENT CODE

- The procedural requirements in Chapter 87 Section 1.2 have been satisfied
- Chapter 87, Section 1.13.3 specifies that the Planning Commission shall make an affirmative finding on **each** consideration in granting a variance application, or find that variance will correct a bona fide staff error that has led to design or construction that does not comply with the LDR
 - City staff issued permit for screened enclosure in 2002 and approved upon inspection
 - Permit record does not include a site plan; unknown whether a staff error or an error in construction resulted in the encroachment

I.10.C DECISION CRITERIA

1. The particular physical surroundings, shape, topographical condition, or other physical or environmental condition of the specific property involved would result in a particular hardship upon the owner, as distinguished from a mere inconvenience, if the strict letter of the regulations were carried out.
2. The conditions upon which the request for a variance is based are unique to the parcel and would not be applicable, generally, to other property within the vicinity;
3. The variance is not based on any conditions, including financial, occupational, or ability, which are personal to the applicant as applied to the property involved in the application;
4. The alleged hardship has not been created by any person presently having an interest in the property or, if it was, it was created as a result of a bona fide error;
5. The granting of the variance will not be detrimental to the public welfare or injurious to other property or improvements in the vicinity;
6. The variance granted is the minimum variance that will make possible the reasonable use of the property; and
7. The property cannot be put to a reasonable use which complies fully with the requirements of the Code unless the variance is granted.

CONCLUSION

- Upon review of the petition and associated documents, Comprehensive Plan, Land Development Code, staff report and analysis, and testimony provided during the public hearing, there is sufficient information on the record to take action on Variance Petition No. 25-65VZ.