

neighborhood as Respondent's property. Thus, the record below also lacks competent substantial evidence on this component of the unnecessary hardship element.

### **Conclusion**

The Board's Variance Order is not based on competent substantial evidence as to the unnecessary hardship element of LDC Section 138-231. Based upon the foregoing, the Second Amended Petition for Writ of Certiorari is **GRANTED**. The Variance Order issued by the Board on May 5, 2021 in the matter of VAR-21-15 is **QUASHED** as to the portion granting the boat lift variance.

**DONE AND ORDERED** in Chambers, at St. Petersburg, Pinellas County, Florida, on this 2nd day of August, 2022.

/s/ Thomas Ramsberger  
**THOMAS RAMSBERGER**  
Circuit Judge, Appellate Division

/s/ Amy M. Williams  
**AMY M. WILLIAMS**  
Circuit Judge, Appellate Division

/s/ Pamela A.M. Campbell  
**PAMELA A.M. CAMPBELL**  
Circuit Judge, Appellate Division