

(1) Special conditions and circumstances exist which are peculiar to the land, structure or building involved, and which are not applicable to other lands, structures or buildings in the same land use category, zoning district or situation.

(2) The special conditions and circumstances identified in paragraph (1) above are not the result of actions of the applicant.

(3) Literal interpretation and enforcement of the Land Development Code regulations would deprive the applicant of rights commonly enjoyed by other properties in the same land use category, zoning district or situation, and would result in unnecessary and undue hardship on the applicant.

(4) The variance, if granted, is the minimum variance necessary to make possible the reasonable use of the land, building or structure.

(5) Granting of the variance request will not confer on the applicant any special privilege that is denied by the development code to other lands, buildings or structures in the same land use category, zoning district or situation.

(6) The granting of the variance will be in harmony with the general intent and purpose of this code, and will not be injurious to the surrounding properties or detrimental to the public welfare.

(7) The variance represents a reasonable disposition of a claim brought under the Bert J. Harris Private Property Rights Protection Act, chapter 95-181, Laws of Florida, that a development order of the city has unreasonably burdened the applicant's property, based upon the recommendations of the special master appointed in accordance with the act, or the order of a court as described in the act.

. The minimum variance necessary would leave me with 2.72 feet on either side of the structure.

. Ordinance was changed around 2020 no allowing me park my boat in front of the house and now had to move it to the side. i also complied by building a fence to comply with the new ordinance

. A hardship is in order to save my boat from the damage the sun has done to it is move it to a covered storage unit which in turn would cost hundreds of dollars a month.

. Also, a hardship is the money that will have to be spent to replace the interior of boat when with old ordinance i could have left it in front of the house and built a awning cover for it

. The sight triangle will not be affected cause there is already a fence there and there is clear view when sitting at the stop sign.

. No drainage problems will occur due to roof pitch being front to back not side to side. Also, no utilities are in conflict.

. I also moved to a non HOA to be able to store my boat here properly and am now not aloud to provide coverage for my boat.

(2) When a specific action of a governmental entity has inordinately burdened an existing use of real property or a vested right to a specific use of real property, the property owner of that real property is entitled to relief, which may include compensation for the actual loss to the fair market value of the real property caused by the action of government, as provided in this section. A property owner entitled to relief under this section retains such entitlement to pursue the claim if the property owner filed a claim under subsection (4) but subsequently relinquishes title to the subject real property before the claim reaches a final resolution.

The 25ft setback has burden my use of "real Property" Not allowing me to use the "Real property" I purchased.