

SECTION 14

PRIVATE PROPERTY RIGHTS ELEMENT

GOAL: Protect private property rights by considering such rights in local decision making.

OBJECTIVE 1: In accordance with the legislative intent expressed in ss. 163.3161 (10) and 187.101 (3) that governmental entities respect judicially acknowledged and constitutionally protected private property rights, each local government shall include in its comprehensive plan a property rights element to ensure that private property rights are considered in local decision making.

POLICY 1: The following rights shall be considered in local decision making:

- A. The right of a property owner to physically possess and control his or her interests in the property, including or subject to any easements, leases, or mineral rights.
- B. The right of a property owner to use, maintain, develop, and improve his or her property for personal use or for the use of any other person, subject to state law and local ordinances.
- C. The right of the property owner to privacy and to exclude others from the property to protect the owner's possessions and property.
- D. The right of a property owner to dispose of his or her property through sale or gift.