

## CHAPTER TEN

### PROPERTY RIGHTS ELEMENT

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## Chapter Ten Property Rights Element

### Introduction

The following goal, objective and policies constitute the Property Rights Element, in accordance with the legislative intent expressed in Section 163.3161(10), Florida Statutes, as amended, and Section 187.101(3), Florida Statutes, as amended.

#### PROPERTY RIGHTS GOAL, OBJECTIVE AND POLICIES

#### GOAL 10 - RECOGNIZE AND RESPECT JUDICIALLY ACKNOWLEDGED AND CONSTITUTIONALLY PROTECTED PRIVATE PROPERTY RIGHTS.

- OBJECTIVE 10.1**      In local decision making, the Town shall consider the statement of rights as enumerated in Policy 10.1.1, Policy 10.1.2, Policy 10.1.3, and Policy 10.1.4.
- Policy 10.1.1**      In local decision making, the Town shall consider the right of a property owner to physically possess and control his or her interests in the property, including easements, leases, or mineral rights.
- Policy 10.1.2**      In local decision making, the Town shall consider 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.
- Policy 10.1.3**      In local decision making, the Town shall consider the right of the property owner to privacy and to exclude others from the property to protect the owner's possessions and property.
- Policy 10.1.4**      In local decision making, the Town shall consider the right of a property owner to dispose of his or her property through sale or gift.

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