

CITY OF WINTER SPRINGS

COMPREHENSIVE PLAN

PROPERTY RIGHTS ELEMENT



Amended

December 13, 2021 | Ordinance 2021-06
Chapter X | Property Rights Element

PREPARED BY

CITY OF WINTER SPRINGS
COMMUNITY DEVELOPMENT DEPARTMENT



**CHAPTER X
PROPERTY RIGHTS ELEMENT**

A. GOALS, OBJECTIVES and POLICIES

GOAL 1: The City will respect judicially acknowledged and constitutionally protected private property rights.

Objective 1.1: The City will consider when appropriate and applicable judicially acknowledged and constitutionally protected private property rights when making decisions.

Policy 1.1.1: In accordance with Florida law requiring governmental entities to respect judicially acknowledged and constitutionally protected private property rights, the following rights shall be considered in local decisionmaking:

1. The right of a property owner to physically possess and control his or her interests in the property, including easements, leases, or mineral rights.
2. 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.
3. The right of the property owner to privacy and to exclude others from the property to protect the owner's possessions and property.
4. The right of a property owner to dispose of his or her property through sale or gift.

Ron DeSantis
GOVERNOR



Dane Eagle
SECRETARY

January 20, 2022

The Honorable Kevin McCann
Mayor, City of Winter Springs
City Hall
1126 East State Road 434
Winter Springs, Florida 32708

Dear Mayor McCann:

The Department of Economic Opportunity ("Department") has completed its review of the comprehensive plan amendment adopted by the City of Winter Springs (Amendment No. 21-01ESR) and Ordinance No. 2021-06 on December 13, 2021. We have reviewed the amendment in accordance with the expedited state review process set forth in Section 163.3184(2) and (3), Florida Statutes, and identified no provision that necessitates a challenge of the Ordinance adopting the amendment.

If the plan amendment is not challenged by an affected person, the amendment will become effective 31 days after the Department notified the local government that the plan amendment package was complete. If the plan amendment is challenged by an affected person, the amendment will not become effective until the Department or the Administration Commission enters a final order determining the amendment to be "In Compliance."

If you have any questions concerning this review, please contact Matthew Preston, Planning Analyst, by telephone at (850) 717-8490 or by email at matt.preston@deo.myflorida.com.

Sincerely,

Kelly D. Corvin, Regional Planning Administrator
Bureau of Community Planning and Growth

KDC/mp

cc: Christopher Schmidt, Economic and Community Development Director, City of Winter Springs
Hugh Harling, Jr., Executive Director, East Central Florida Regional Planning Council

Florida Department of Economic Opportunity | Caldwell Building | 107 E. Madison Street | Tallahassee, FL 32399
(850) 245.7105 | www.FloridaJobs.org | www.Twitter.com/FLDEO | www.Facebook.com/FLDEO

An equal opportunity employer/program. Auxiliary aids and service are available upon request to individuals with disabilities. All voice telephone numbers on this document may be reached by persons using TTY/TTD equipment via the Florida Relay Service at 711.