

Bond Case Briefs

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EMINENT DOMAIN - FLORIDA

Beyer v. City of Marathon

District Court of Appeal of Florida, Third District - November 6, 2013 - So.3d - 2013 WL 5927690

Property owners brought inverse condemnation action against city and state arising out of a comprehensive plan that barred any development on their property.

The District Court of Appeal held that:

- Owners failed to present any evidence of reasonable investment-backed expectations for development of the property;
- Inverse condemnation claim was not barred by the doctrine of laches; and
- Owners were not deprived of all economically beneficial use of their property.

A subjective expectation that land can be developed is no more than an expectancy and does not translate into a vested right to develop the property, so as to support an inverse condemnation claim.