

# Zoning Dispute Resolved in Favor of Developer

Amundsen Davis successfully represented a developer in a land-use dispute involving the denial of a site plan and subdivision plats by a municipal board. The developer sought to subdivide commercially zoned property and construct a national brand retail store. Although city staff reviewed the plans and found no deficiencies with applicable zoning and subdivision requirements, the planning commission denied the site plan, and the board of aldermen later denied both the site plan and plats, citing traffic concerns and public opposition. The developer filed a petition for a writ of mandamus. The court found the board's denial was arbitrary and unsupported by substantial evidence, emphasizing that once a proposal complies with all code requirements, the city has a ministerial duty to approve it. The court ordered the city to approve the site plan and plats.

## PROFESSIONALS

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