

Bond Case Briefs

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ZONING & PLANNING - DISTRICT OF COLUMBIA

Committee of Neighbors Directly Impacted by LAMB Application v. District of Columbia Board of Zoning Adjustment

District of Columbia Court of Appeals - October 31, 2019 - A.3d - 2019 WL 5617815

Neighboring residents sought review of decision by Board of Zoning Adjustment (BZA) that approved application by prospective lessee of property for special exception that allowed it to operate and co-locate a public charter school with property owner's existing private school in residential zone.

Prospective lessee intervened.

The Court of Appeals held that:

- Allowing continued use of existing, nonconforming parking lot did not violate intent and purpose of relevant zoning regulations;
- Prospective lessee, rather than property owner, was proper applicant to request special exception;
- BZA did not abdicate its authority by designating other entities to enforce certain conditions that it placed on its approval; and
- BZA conducted requisite "improved public review" prior to approving application.