

Bond Case Briefs

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ZONING & LAND USE - VIRGINIA

Prince William Board of County Supervisors v. Archie

Supreme Court of Virginia - August 9, 2018 - S.E.2d - 2018 WL 3768771

Owner of automobile salvage business petitioned for writ of certiorari after county board of zoning appeals upheld zoning administrator's denial of a nonconforming use verification for parcel used by owner as an automobile graveyard.

The Circuit Court entered judgment reversing the board's decision, and county appealed.

The Supreme Court of Virginia held that:

- Owner's use of parcel as an automobile graveyard prior to county's enactment of zoning ordinance established parcel's status as a lawful nonconforming use, and
- Nonconforming use of parcel was not discontinued, so as to terminate its nonconforming use status under county zoning ordinance, when purchaser did not place junk vehicles or parts on the parcel throughout its five-year period of ownership.