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EMINENT DOMAIN - VIRGINIA

Hooked Group, LLC v. City of Chesapeake

Supreme Court of Virginia - May 28, 2020 - S.E.2d - 2020 WL 2766125

Commercial landowner brought action declaratory judgment against city, alleging that city's closure of one of two roads by which property was accessible constituted a taking, entitling it to compensation.

The Chesapeake Circuit Court sustained city's demurrer and dismissed landowner's claim. Landowner appealed.

The Supreme Court held that:

- City's closure of road did not deprive landowner of reasonable access to property, and thus did not constitute a taking, and
- City's closure of road did not materially impair direct access to property, so landowner's loss of access was not compensable under statute.

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