

Bond Case Briefs

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ZONING & PLANNING - PENNSYLVANIA

Lamar Advantage GP Company, LLC v. City of Pittsburgh Zoning Board of Adjustment

Supreme Court of Pennsylvania - January 20, 2021 - A.3d - 2021 WL 189276

Billboard owner, which had ratcheted a static vinyl sign over electronic advertising on billboard, appealed decision of city's zoning board of adjustment which upheld city's citation for adding to or enlarging a nonconforming sign.

The Court of Common Pleas reversed. City appealed, and the Commonwealth Court affirmed. City petitioned for review, which was granted.

The Supreme Court, held that Commonwealth Court's decision was not inconsistent with *Lamar Advertising Co. v. Zoning Hearing Bd. of Monroeville*, 939 A.2d 994.

Commonwealth Court's decision that billboard owner's decision to drape vinyl static sign over existing electronic sign and sign structure did not violate city code provision barring a nonconforming sign from enlarging, adding to, or replacing another nonconforming sign was not inconsistent with *Lamar Advertising Co. v. Zoning Hearing Bd. of Monroeville*, 939 A.2d 994, which held that structural alterations required to replace 17 static vinyl signs with electronic signs "altered" those signs within the meaning of a municipal ordinance; conclusion in that case was premised upon language of that city's zoning ordinance, the failure to establish the billboards as legal nonconforming uses, and the significant structural alterations that the change would entail, none of which were present in the case at hand.