

Bond Case Briefs

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Corzine v. Alexandria City Council

Court of Appeals of Virginia, Fairfax - February 3, 2026 - S.E.2d - 86 Va.App. 623 - 2026 WL 272390

Neighbors brought action challenging development special use permit authorizing a floor area ratio of 2.5 for a wholly residential apartment building in commercial residential mixed use high zone. The Alexandria Circuit Court sustained city's demurrers and dismissed the complaint with prejudice. Neighbors appealed.

The Court of Appeal held that, as matters of first impression;

- Development ordinance subsection providing for a maximum permitted floor area ratio of 1.25 if a parcel in a commercial residential mixed use high zone is developed "for only residential use" did not apply;
- Ordinance subsection providing for a maximum permitted floor area ratio of 2.5 for a "Mixed use or residential/SUP" (special use permit) building where at least 50% of the space was residential applied; and
- Subsections did not conflict, and thus ordinance requiring compliance with the most restrictive requirement did not apply.