
ZONING & PLANNING - GEORGIA

Nalley v. Carroll County

Court of Appeals of Georgia - November 2, 2026 - S.E.2d - 2026 WL 3301010

Landowners brought action against county seeking a declaratory judgment that a conditional use permit previously issued for their five-acre parcel for special events automatically extended to cover a newly-acquired adjacent 15.67-acre parcel, or alternatively that the county planner's assurances resulted in a vested right to use the new parcel as a wedding venue without a permit.

The Superior Court granted county's motion for summary judgment and denied landowners' motion. Landowners appealed.

The Court of Appeals held that:

- Permit did not automatically extend to neighboring parcel;
- County planner's purported assurances during telephone call with landowner that conditional use permit would extend to neighboring parcel did not give them a vested right to use the neighboring parcel for special events;
- County planner's statements during telephone call with landowners' surveyor did not grant landowners a vested right to extend conditional use permit to neighboring parcel; and
- County planner's response to surveyor's e-mail did not constitute an official assurance that the permit would cover the neighboring parcel.

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