

Zoning & Land Use

ATTORNEYS

Timothy Dugan
David S. Houston
Jonathan C. Kinney
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RELATED PRACTICES

Commercial Lending
Construction
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Bean, Kinney & Korman's land use and zoning team is known for handling a variety of zoning cases throughout Northern and Central Virginia, the District of Columbia, and Maryland. Their work includes representing national, regional and local developers and property owners in the counties of Arlington, Fairfax, Prince William, Loudoun, Chesterfield, and Henrico, the cities of Fairfax, Alexandria, and Richmond, the District of Columbia, and Montgomery and Frederick Counties.

Ability to Navigate Multiple Constituencies and Competing Interests

Governmental regulation of land use and the process of obtaining entitlements to develop and redevelop real estate involve intensely parochial and complex layers of competing interests. These interests include the governing jurisdiction, as well as neighborhood groups, state and federal agencies, conservation and historic preservation organizations, and tenant associations. Three-dimensional chess is easy by comparison.

Credibility Among Public Entities

Our attorneys have spent decades accumulating knowledge of the political, economic and technical factors that influence how properties can be permitted to realize the potential desired by owners and developers. More importantly, we invest time to establish credibility with governmental staffs and the elected and appointed leadership of agencies and public bodies who process and make land use decisions, as well as the citizen groups whose vocal support or opposition is often critical.

Creative Approaches to Overcome Regulatory Obstacles

For any land use practitioner, easy familiarity with the codes, rules and policies of the governing jurisdiction is fundamental. Knowing how they are interpreted and applied, however, can mean the difference between a successful and unsuccessful application. We have used a variety of creative approaches to overcome apparent regulatory obstacles to developments that didn't neatly fit the zoning ordinance.

Knowledge of the Development Community

Over and above the value we provide in dealing with regulatory agencies is our knowledge of the development community and the markets in which they operate. Information on who's trying to build what and where and how they're being treated in the entitlement process is invaluable to our clients in their decision-making process.

Whatever you seek to accomplish in the development process, whether a subdivision, rezoning, site plan, special exception or use permitting or variance grant, we offer the depth of knowledge, experience and relationships that can make it happen.

PUBLISHED ARTICLES

Planning Commission approves Final Development Plan for multifamily building in Bailey's Crossroads
the Annandale Blog, October 15, 2021

Supervisors support consolidation for storage facility expansion
the Annandale Blog, July 28, 2021

Madeira School campus plan wins county approval
Sun Gazette, June 21, 2021

Kasa Living, a pop-up hotel startup, is coming to Rosslyn
Washington Business Journal, December 28, 2020

Developer targets Days Inn along Route 50 in Arlington for mixed-use
Washington Business Journal, October 29, 2020

Underground Vaults in Virginia

BKK Construction & Land Use Newsletter, December 7, 2015

Arlington County Board Unanimously Approves Clarendon West
BKK Construction & Land Use Newsletter, December 7, 2015

D.C.'s Historic Preservation Laws – Not the Zoning Regulations
– Remain the Biggest Impediment for Pop-Up Development
BKK Construction & Land Use Newsletter, September 1, 2015

Arlington County Board Approves the Retail Action Plan
BKK Construction & Land Use Newsletter, September 1, 2015

Sign, Sign, Everywhere a Sign (Ordinance): Reed v. Town of
Gilbert, the First Amendment and Signs
BKK Construction & Land Use Newsletter, September 1, 2015

A Patriotic Partnership: The Construction Industry and the
Military
BKK Construction & Land Use Newsletter, June 4, 2015

Fairfax County's Plans for the Route 1 Corridor
BKK Construction & Land Use Newsletter, June 4, 2015

Arlington's New LEED Standards
BKK Construction & Land Use Newsletter, December 5, 2014

Changes are Coming to ISD
BKK Construction & Land Use Newsletter, December 5, 2014

D.C. Office of Planning Takes a Stand Against Pop-Ups With
New Zoning Text Amendment
BKK Construction & Land Use Newsletter, September 2, 2014

Look! Up in the Sky! It's a...Plane!: Proposed FAA Policy Could
Affect Building Heights
BKK Construction & Land Use Newsletter, June 2, 2014

Lorton Landfill Dispute Nearing Board of Supervisors' Review
BKK Construction & Land Use Newsletter, March 4, 2014

I Know My (Vested) Rights! Developing a Project in a Changing
Climate
BKK Construction & Land Use Newsletter, March 4, 2014

Saying What You Mean and Meaning What You Say: Collecting Cash Proffers for Residential Development
Virginia Real Estate, Land Use & Construction Law Blog,
January 22, 2014

Much Ado About Subdivision: Building on a Subdivided Lot When the Locality Never Approved the Subdivision Plat
Virginia Real Estate, Land Use & Construction Law Blog,
January 6, 2014

Searching for the Escape Hatch: The Variance
BKK Construction & Land Use Newsletter, December 3, 2013

Of Boats, Dining, and Zoning: Virginia Supreme Court Decides Old Dominion Boat Club v. Alexandria City Council
Virginia Real Estate, Land Use & Construction Law Blog,
November 1, 2013

Newberry Station: Political Contributions vs. Political Realities
BKK Construction & Land Use Newsletter, September 10, 2013

Sansotta v. Town of Nags Head: Localities Cannot Manipulate the Litigation Process to Avoid Taking Claims
Virginia Real Estate, Land Use & Construction Law Blog, July 27, 2013

What the SCOTUS Opinion in Koontz v. St. Johns River Water Management District Means for Virginia Property Owners
Virginia Real Estate, Land Use & Construction Law Blog, June 25, 2013

Arlington County Reconsiders Parking Ratios for Commercial Site Plans
Mark Viani mviani@beankinney.com, Matt Roberts mroberts@beankinney.com, June 1, 2013

Zoning Ordinance Revisions Affecting Arlington County's By-Right Outdoor Cafés
BKK Construction & Land Use Newsletter, June 1, 2013

Condemnation Changed (Permanently?) in Virginia
AIA Northern Virginia News, January 1, 2013

Proposed Amendment to Virginia's Constitution Could Limit

Government's Use of Eminent Domain
BKK Construction & Land Use Newsletter, March 1, 2012

EPA Storm Water Regulations – Potential Impediment to
Development
AIA Northern Virginia News, September 1, 2011

Virginia Plays TDR Catch-Up
OnSite Magazine, August 1, 2011

Transferable Development Rights: Now in Action in Arlington
Commonwealth Contractor, May 1, 2011

Nimby! The Views at Clarendon Project and Litigation 2004-
2011
The Fee Simple, May 1, 2011

How Not to Get Sued
AIA Northern Virginia News, March 1, 2010

NEWS

Bean, Kinney & Korman Named a 2022 “Best Law Firm” for
Eleventh Consecutive Year
Thursday November 4, 2021

County Board Approves Red Top Cab Project Amendments
Tuesday June 15, 2021

Charles (Chas) McAleer, Dean Luo and Harrison Clinton Join
Bean, Kinney & Korman
Friday February 12, 2021

Timothy Dugan Elected 2020-2021 Chair of the Real Property
Section Council of the Maryland State Bar Association
Thursday May 21, 2020

Timothy Dugan Recognized as Top Attorney by *Bethesda
Magazine*
Tuesday December 10, 2019

Timothy Dugan Joins Bean, Kinney & Korman as a Shareholder
Wednesday October 16, 2019

David S. Houston Joins Bean, Kinney & Korman as a Shareholder
Wednesday February 13, 2019

Jon Kinney Discusses Impact of 5G Technology in Arlington County
ARLnow, Wednesday October 17, 2018

Matthew J. Weinstein Joins Bean, Kinney & Korman
Tuesday March 14, 2017

Bean, Kinney & Korman Attorneys Win Virginia Supreme Court Appeal Involving Local Taxation of Transferable Development Rights
Monday January 9, 2017

Lori Murphy Presented an Update on Proposed Great Falls TD Bank
Alexandria Gazette Packet, Tuesday June 11, 2013

Jonathan Kinney of Law Firm Bean, Kinney & Korman Recognized as Northern Virginian of the Year by *Northern Virginia Magazine*
Northern Virginia Magazine, Friday June 1, 2012

Arlington County Board Approves Clarendon Block Redevelopment
Arlington County News, Tuesday January 24, 2012

Bean, Kinney & Korman Represents Developer of 'The Views' at Clarendon in Dismissed Case
Monday January 3, 2011

Jonathan Kinney receives Arlington Partnership for Affordable Housing's Affordable Housing Award
Tuesday October 5, 2010

Bean, Kinney & Korman Represents Developer 1210 North Highland Street in Peter Glassman, Plaintiff v. Arlington County, Virginia, et. al.
Tuesday April 13, 2010

Timothy Hughes featured in "No Word Yet From JBG After

Judge Dismisses Convention Hotel Lawsuit”
Washington Business Journal, Tuesday March 30, 2010

Arlington Law Firm Puts a Focus on Supporting Energy-Efficient Design
Sun Gazette, Sunday May 10, 2009

Bean, Kinney & Korman Plays Significant Role in Introducing Arlington’s First LEED Gold Residential Building
Monday April 27, 2009

Arlington Circuit Court Dismisses Lawsuit Challenging Arlington County Board’s Approval of Views at Clarendon
Wednesday July 11, 2007

SEMINARS & EVENTS

Creative Approaches to Increasing the Housing Supply
online, Wednesday, October 20, 2021

Land Use Institute 2021
online, Tuesday, October 5, 2021

Investing in Richmond Highway
Online, Wednesday, May 19, 2021

ULI Washington, D.C. Young Leaders Presentation “Northern Virginia Land Use”
Monday, May 25, 2020

Comparative Zoning and Land Use Laws in Northern Virginia and Suburban Maryland
University of Maryland, Monday, May 25, 2020

Future of Arlington County
Arlington, VA, Thursday, November 14, 2019

2019 Advanced Real Property Institute
Columbia, MD, Thursday, November 7, 2019

Maryland State Bar Association Land Use Institute: “Recent Federal and State Land Use Court Decisions”
Saturday, May 25, 2019

Transferable Development Rights – What They Are and Why
You Need to Know

Bean, Kinney & Korman, Friday, January 27, 2017

“Lunch With...Metro General Manager and CEO Richard Sarles
and Arlington County Board Member Mary Hynes”

Navy League Building, 2300 Wilson Blvd., Arlington, VA 22201,
Monday, August 5, 2013

3rd Annual Rosslyn-Ballston Corridor Summit

Renaissance Arlington Capital View Hotel in Arlington, Virginia,
Thursday, May 31, 2012