

News

Miller Quoted in Columbus Media Stories About Dublin Village Center Lawsuit

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Joseph R. Miller

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Joe Miller, a partner in the Vorys Columbus office, was quoted in a *Columbus Business First* story and a *Columbus Dispatch* story about a lawsuit filed against the City of Dublin by Stavroff Land & Development, the owners of the Dublin Village Center. The stories indicate that the lawsuit was filed over the city's continued refusal to approve redevelopment plans for the complex.

The *Business First* story states:

"Stavroff claims the rationale the city has used to deny its project are in violation of Ohio's equal protection and due process laws. It is seeking compensatory damages; a declaration that Dublin's BSD code and Interim land use principles are unconstitutional; a declaration that Stavroff's project application is constitutional and reasonable; an injunction requiring the city to refrain from preventing development of the property; pre- and post-judgement interest; and attorney fees.

Columbus law firm Vorys Sater Seymour and Pease LLP is representing Stavroff.

"Through its utterly vague zoning scheme, the city has given itself absolute discretion to block residential developments for any reason or no reason at all,' attorney Joe Miller, a partner at Vorys, said in a statement. 'Dublin's actions unlawfully restrict private property rights, add substantial and unnecessary costs to development, and impede the development of much needed housing in the city.'"

The *Dispatch* story states:

"After tweaking the plan, such as reducing the height, 'to fully comply with the (Bridge Street District) Code and address comments received from its initial application,' Stavroff resubmitted the plan in April.

Even though city staff recommended approval of the plan, the Planning & Zoning Commission rejected it in July. The commission cited some specific issues, such as the amount of open space and, especially, the lack of a master plan for the entire parcel.

While acknowledging the proposal may meet all specific requirements, the commission expressed concern that the developers failed to meet one of the land use principles — the requirement that developments "be distinctly Dublin."

Such principles 'are so vague that they have no meaning,' the lawsuit argues.

'The Bridge Street Zoning Code and Dublin's land use principles are utterly and unconstitutionally vague,' said Joe Miller, an attorney with Vorys, Sater, Seymour and Pease, the Columbus law firm that filed the lawsuit on Stavroff's behalf. 'This is intentional. The city has given itself standardless and unlawful discretion in zoning matters, which the city has used to block much needed housing in the city.'

To read the *Business First* story, [click here](#). To read the *Dispatch* story, [click here](#). Note: subscriptions may be required.