

Land Use & Zoning Disputes

The development and use of real property in New Jersey is subject to a complex and sometimes contentious framework of municipal land use ordinances and state regulations. When disputes arise, they can challenge a project's viability or a property owner's rights. The firm's real estate litigation team represents clients in all facets of land use and zoning disputes, whether related to defending an approved project, challenging an adverse decision, or addressing an issue caused by a neighboring property. In working to resolve these disputes, which can involve high stakes impacts on property values, development timelines, and community character, we call upon our deep knowledge of land use planning in combination with proactive litigation strategies that are grounded in a comprehensive understanding of the Municipal Land Use Law's (MLUL) intricate procedures and the principles of administrative law.

Greenbaum's team represents commercial, residential, and mixed-use developers seeking to defend their approved projects against challenges or in appealing denials. We represent property owners in challenging restrictive zoning ordinances or overturning unfavorable board decisions. We represent business entities impacted by zoning changes, non-conforming use issues or operational permit disputes. We also have extensive experience in representing municipalities and other public entities in land use and zoning matters.

Our work in this area includes litigating local planning and zoning board decisions through actions in lieu of prerogative writs, challenging the validity of variance, site plan and subdivision denials, and disputes related to conditional uses. We represent clients in challenges to master plans, including "Mount Laurel" housing plans and affordable housing obligations. We advise on and litigate non-conforming use disputes and represent property owners in disputes regarding alleged zoning or building code violations. We handle developer agreement disputes, which are often tied to a project's land use approvals. Our experience also encompasses easement and access disputes, as well as municipal redevelopment related issues including challenges associated with the designation of areas in need of redevelopment, the adoption or implementation of redevelopment plans, or the designation of redevelopers.

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Announcements

2025 Chambers USA Guide Ranks Greenbaum, Rowe, Smith & Davis in Key Practice Areas and Recognizes 18 Attorneys as Leading Individuals

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Thirty-Five Attorneys from Greenbaum, Rowe, Smith & Davis Selected for Inclusion in 2025 Edition of New Jersey Super Lawyers

3.19.25