

Appeals court dismisses Medmont/Deyerle case against city of Roanoke and ABoone Real Estate

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Appeals court dismisses lawsuit from neighborhood over zoning

The Court of Appeals of Virginia affirmed a prior dismissal of a lawsuit brought by members of the Deyerle neighborhood against the city of Roanoke, ABoone Real Estate, and property owners over a rezoning for townhomes across from LewisGale Medical Center.

In July 2024, the Roanoke City Council unanimously approved the rezoning of 3.5 acres of land from residential to a mixed-use planned unit development district, allowing for 24 townhomes to be built.

In August 2024, [14 Deyerle neighborhood homeowners sued the city](#), ABoone Real Estate and property owners John A. Carter Rental Properties and Keagy Medmont, claiming that the city did not provide adequate public notice before a planning commission public hearing on the rezoning request, which was continued from a previous meeting.

That suit was dismissed by Circuit Judge Leisa Ciaffone in May 2025, and she later denied a plaintiff request for reconsideration.

The plaintiffs then appealed to the Court of Appeals, which affirmed Ciaffone's ruling, stating that the planning commission did have authority to continue its public hearing in a later meeting — "Neighbors suggest no reason why the continuance was unreasonable."

The ruling states that "statutory framework and common sense" suggest that the planning commission has the authority to continue one matter over two regularly scheduled public hearings. The ruling also notes that in that period between the first hearing and the continued hearing, Boone revised his application to increase the tree canopy for the project and provided visual renderings of the exterior of the proposed townhomes.

Alexander Boone, owner of ABoone Real Estate, said in an email that Ryan Homes started building the townhomes last week, and plan to have a model open for sales to start in August.