

# Nick Tosco

## PARTNER

t: 704.342.5275

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Nick concentrates his practice in the areas of local government law, land use, zoning, and complex civil litigation.



### OFFICE LOCATION

301 S. College St., Suite 2900  
Charlotte, NC 28202

### JURISDICTIONS LICENSED

North Carolina

## BIOGRAPHY

Nick assists municipalities, counties, governmental agencies, and private clients on matters related to zoning, permitting, variances, annexations, condemnation/eminent domain, public records, special use permits, site plans, subdivisions, and administrative law issues.

Nick also devotes part of his practice to civil litigation, representing clients in a wide range of complex government-related disputes, land use litigation, zoning disputes, and condemnation/eminent domain litigation.

He also previously served as a law clerk for the Charlotte City Attorneys' Office, assisting with lawsuits, land use challenges, contracts, and city ordinance matters. Prior to attending law school, Nick interned and worked for Dan Clodfelter during his time as a North Carolina State Senator.

## AREAS OF FOCUS

## **GOVERNMENT**

- Defended local governments against constitutional challenges to sign ordinances, short term rental ordinances, and red light camera programs in federal and state courts.
- Represented local governments in stormwater enforcement cases.
- Managed extensive and complex reviews of public records in order to respond to public records requests for several local government clients.
- Drafted and negotiated development agreements for the construction of a major league soccer stadium, a mixed-use development, and a commercial redevelopment project.
- Drafted numerous zoning, energy, and land use ordinances and resolutions for local governments and various other regulations and policies, including ordinances and resolutions concerning panhandling, public nuisances, abandoned structures, and minimum housing ordinances.
- Represented a local government in more than 300 property tax foreclosure actions.
- Advised and drafted legal opinion letters for local governments concerning impact fees, procurement policies, and economic development incentives.

## **LAND USE, ZONING, & ENVIRONMENTAL**

- Represented individuals and companies in a zoning dispute over a site plan and rezoning approval for a controversial truck stop in western North Carolina.
- Represented landowners and companies in a contested zoning dispute over a rezoning approval for a controversial mixed-use development in western North Carolina.
- Obtained favorable court decisions for a local government in a complex zoning enforcement dispute concerning inadequate street construction and maintenance in a residential subdivision.
- Represented individuals and companies in obtaining rezoning approval, site plan approval, special and conditional use permits, text amendments to local government ordinances, and other entitlement approvals for commercial and retail development.
- Represented a wind energy developer in obtaining conditional use permits for a large industrial wind turbine facility located in northeastern North Carolina.
- Assisted company by lobbying local government for favorable land use provisions in a proposed shooting range ordinance in southeastern North Carolina.

## **EMINENT DOMAIN & CONDEMNATION**

- Obtained favorable court decision for a local government regarding the fair market value of property taken through condemnation for the construction of a light rail system.
- Obtained favorable court decision for a utility regarding the fair market value of property taken through condemnation for the construction of natural gas pipelines and related facilities.
- Negotiated a favorable settlement for a bank in a condemnation case regarding property taken for a road widening in front of the bank's property.
- Represented companies, municipalities, and utilities in numerous condemnation actions requiring property interests from multiple property owners for infrastructure projects.

## **CREDENTIALS**

## EDUCATION

University of North Carolina School of Law, JD, 2013

North Carolina State University, BA, 2008

## NOTABLE ACCOMPLISHMENTS

Recognized in The Best Lawyers in America® “Ones to Watch” (Government Relations Practice) 2021-2024; (Land Use and Zoning Law) 2021-2024; (Administrative / Regulatory Law) 2021-2024; (Real Estate Law) 2023-2024; (Environmental Law) 2024

North Carolina Pro Bono Honor Society, 2019-2022

Order of Barristers

## PROFESSIONAL & COMMUNITY ACTIVITIES

The City of Charlotte Arts and Culture Advisory Board, Board Member, 2021-2024

North Carolina Bar Association – Zoning, Planning & Land Use Section, Council Member, 2017-Present (Current Chair)

Mecklenburg County Bar’s Law & Society Committee, 2020-Present (Chair from 2022-2023)

Safe Alliance Men For Change Committee, Committee Member, 2017-Present

Safe Alliance Board of Directors, Board Member, 2017-2020

## SPEAKING & WRITING

[Certiorari Appeals of Quasi-Judicial Decisions](#), 2024 Zoning, Planning, & Land Use Section CLE

[Rezoning 101: Understanding Zoning and Charlotte’s Rezoning Process](#), 2024 MCB Annual Review CLE

[Sign Ordinance Litigation Post \*Reagan\*](#), 2023 NC Municipal Attorneys’ Winter Conference

A Day in the Life of a Land Use Lawyer: Perspectives from Public and Private Practitioners, 2023 North Carolina Bar Association Panel

[Eminent Domain: Recent Case Law Update and Analysis of the Kirby Decision and Map Act](#), 2020 NC Municipal Attorneys’ Virtual Summer Conference

[Still Standing: COA Declines To Change Standing Requirements](#), 2020 North Carolina Bar Association’s Zoning, Planning, and Land Use Section blog