



## Anthony R. Vacanti

### Partner

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Tony Vacanti counsels property owners, tenants, developers, and investors through the complicated and sometimes political maze of land use, zoning, eminent domain, real property tax, and real estate transactional matters.

Tony secures development approval and rights in administrative and court proceedings, including approvals before boards of zoning appeals, planning commissions, city councils, boards of township trustees, county and state commissions, and the court system. He also defends property owners and other interested parties when faced with the governmental exercise of eminent domain to ensure the governmental actions are proper and that interested parties receive just compensation.

Tony's thorough understanding of the nuances in real property valuation allows him to provide clients with substantial real property tax savings in proceedings before local boards of revision, boards of tax appeals, and courts. Additionally, he is able to proactively protect clients in negotiating real estate transactions, including the leasing, acquisition, and sale of real estate; drafting complex real estate documents; and, given his experience in property disputes, addressing title and other due diligence matters.

An avid outdoorsman, backpacker, and hiker, Tony has backpacked/hiked Glacier National Park (Montana), Beartooth Mountains (Montana), Grand Teton National Park (Wyoming), Yellowstone National Park (Wyoming), Acadia National Park (Maine), Joshua Tree National Park (California), Shenandoah National Park (Virginia), Smoky Mountain National Park (Tennessee), Allegheny National Forest (Pennsylvania), Rocky Mountain National Park (Colorado), Eagles Nest Wilderness Area (Colorado), Arapaho National Forest (Colorado), and Cuyahoga Valley National Park (Ohio). Tony and his wife, Michelle, live in North Royalton, where he continues to lose his hair while helping to create a semblance of order in a house full of five boys.

### **Education**

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- Case Western Reserve University School of Law (J.D., magna cum laude, 2006); Case Law Leadership Award; Order of the Coif; National Moot Court Team
- American University (B.A., 2002); A.B. and L.M. Harris Philosophy Award; Delta Chi Fraternity

### **State Admissions**

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- Ohio, 2006

### **Federal Admissions**

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- United States Court of Appeals, Sixth Circuit
- United States District Court, Northern District of Ohio

### **Service Areas**

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- Real Estate
- Business Litigation
- Tax Services
- Appellate & Legal Issues
- Public Law
- Construction
- Corporate Law

### **Experience**

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- Defended a retail center owner in an eminent domain jury trial resulting in a settlement valued at almost \$1 million in additional compensation and engineering changes that allowed the continued use of the center
- Represented a telecommunications company in obtaining complicated land use, zoning, and development approvals for telecommunications towers
- Successfully obtained land use approvals on behalf of a buyer in relation to the \$52 million-dollar acquisition of a data center
- Represented a large non-profit organization in the creation and acquisition of a new downtown commercial condominium development
- Represented a shopping center owner in defending an eminent domain action instituted by a city resulting in a settlement valued at over \$10 million
- Successfully defended an action filed by a school district against a hotel client seeking to increase real property tax value in excess of \$10 million
- Negotiated the sale and acquisition of a large organization's headquarters
- Successfully obtained a complicated real property tax exemption on behalf of a museum
- Obtained a favorable ruling from the Ohio Board of Tax Appeals on a contested tax exemption matter on behalf of a non-profit camp
- Represented a property owner in litigation over township zoning applied to hundreds of acres of land, which resulted in a settlement of favorable zoning and substantially increasing the value and developability of the property for a residential subdivision

## Publications & Events

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### SPEAKING ENGAGEMENTS

- “Land Use Controls” and “Constitutional Limitations on Zoning Ordinances and Actions,” National Business Institute (NBI) (June 2023)
- “Overcoming Real Estate Land Use and Environmental Challenges,” National Business Institute (NBI) (December 2022)
- “Applications and Approval Procedures: Variances, Conditional Use Permits, and More,” Land Use and Zoning: From Application to Appeal, National Business Institute (NBI) (October 2021)
- “Restoring Law and Order in the Wild West of Board of Zoning Appeals Hearings: Using Best Practices to Balance Private Property Rights and Public Interest,” Ohio Prosecuting Attorneys Association (June 2021)
- “Land Use and Zoning: From Application to Appeal,” National Business Institute (NBI) (February 2021)
- “Your Paycheck Protection Program Forgiveness Was Denied – Now What?,” Panelist, 2020 In-House Counsel Summit Webinar, Tucker Ellis LLP (December 2020)
- “Eminent Domain: Appraisals and Just Compensation,” National Business Institute (NBI) (September 2020)
- “Challenging or Appealing an Administrative Zoning Decision,” National Business Institute (NBI) (May 2020)
- “Ethics in Zoning and Land Use Law,” National Business Institute (NBI) (May 2020)
- “Walking the Tightrope: Ethics Dilemmas Encountered by In-House Counsel and How to Manage Them,” Moderator, 2019 In-House Counsel Summit, Tucker Ellis LLP, Cleveland, Ohio (November 2019)
- “Challenging/Defending the Constitutionality of Zoning and Land Use Actions,” Land Use and Zoning from Start to Finish, National Business Institute (NBI) (August 2019)

### PUBLICATIONS

- [“Clean Up and Reduce Your Real Property Tax Liabilities by March 31, 2024,”](#) Tucker Ellis Client Alert (March 2024)
- [“Zoned Out of the American Dream: The Impact of Land Use and Zoning Policy on Affordable Housing,”](#) *Cleveland Metropolitan Bar Journal* (October 2022)
- [“Spring Cleaning Your Ohio Property Tax Liability,”](#) Tucker Ellis Client Alert (February 2020)
- [“SCOTUS Hits a Home Run in Favor of Property Rights,”](#) Tucker Ellis Client Alert (June 2019)

### MEDIA QUOTES

- [“Proposed Townhomes Off Ohio 82 in Broadview Heights Face Legal Challenge,”](#) cleveland.com (July 2019)
- [“Medina Neighbors Object to Rezoning Request by Dominic’s Restaurant Owner,”](#) cleveland.com (June 2019)
- [“JoJo’s/Dominic’s Owner to Get Decision on Nearby Properties,”](#) *The Medina County Gazette* (June 2019)
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“Dominic’s/Jo-Jo’s Owner Seeks Rezonings in Medina,” *The Medina County Gazette* (May 2019)

- “Dominic’s Owner Looks to Rezone Houses Next to His Medina Restaurant,” *cleveland.com* (May 2019)

#### **Honors**

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- The Best Lawyers in America® (2021–2024)
- Ohio Super Lawyers Rising Stars® (2009–2013)

#### **In the Community**

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- Habitat for Humanity of Summit County, Inc., Board of Directors
- Cleveland Kids in Need Resource Center, Former President and Trustee
- Hudson Montessori School, Former Trustee
- International Council of Shopping Centers
- Urban Land Institute
- American Bar Association
- Ohio State Bar Association
- Cleveland Metropolitan Bar Association
- Akron Bar Association
- The Honorable William K. Thomas American Inn of Court, Barrister