



Benjamin R. Kuhn, Partner

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Ben focuses his practice on real estate development, land use and zoning matters. Ben regularly represents clients in connection with the acquisition, financing, development, construction, marketing, sale, and management of real property. He also assists clients with the formation and negotiation of partnerships, limited liability companies, and other business organizations for real estate investors. Ben regularly represents and assists property owners and developers before local government planners, governing boards, planning boards, and boards of adjustment in connection with zoning, site plan, and variance related matters, and during all permitting and enforcement stages of development, including real estate and land use litigation.

Ben is the founding member and current board member of the Real Estate Lawyers Association of North Carolina, the largest active trade association dedicated to advocating on behalf of real estate attorneys and our clients across the state.

Experience Highlights

Represent developers acquiring property for the development of high profile commercial projects in Raleigh, Wake County and across North Carolina.

Work on rezoning cases for property owners and developers to increase density and/or permit uses not previously allowed by existing zoning.

Regularly represent clients in contested variance matters and land use related disputes including litigation before local boards and in courts across North Carolina.

Represent interest groups in support of and in opposition to rezoning cases, and/or special or conditional use permit applications.

Experience representing clients in title and easement disputes including quiet title actions.

Represent homeowners associations and property owners in connection with HOA and related property and land use disputes.

Areas of Focus

- Acquisition, Ownership & Development
- Administrative/Regulatory
- Appellate
- Land Use, Zoning & Development
- Leasing
- Professional Licensing Boards
- Real Estate Finance
- Title Curative Work
- Title Insurance/Real Property Litigation

Education

- Temple University School of Law, JD 1996
- University of North Carolina, Charlotte, BA 1992

Admissions

- North Carolina 1997
- Virginia 2019
- United States District Court – Eastern, Middle and Western Districts of North Carolina
- United States Circuit Court of Appeals – 4th Circuit

Professional Affiliations

- NC Bar Association, Real Estate and Zoning & Land Use Sections, Real Property Section, Consumer Protection Attorney 2005-19
- Wake County Bar Association
- Tenth Judicial District Bar Association
- Wake County Real Property Lawyers Association, Member, Past President 2013
- Real Estate Lawyers Association of North Carolina, Founding Member, Board of Directors 2010-16, Past President 2011-12

Honors & Awards

- AV Preeminent® Peer Rating by Martindale-Hubbell®
- Best Lawyers in America® listed in Real Estate Law since 2012, Land Use & Zoning since 2020 and Real Estate Litigation 2021
- Super Lawyers - NC list since 2017
- Legal Elite - Business North Carolina magazine 2020-21
- Adam W. Foodman Leadership Award 2014 - Real Estate Lawyers Association of North Carolina
- Wake County Real Property Lawyers Association - 2013 Leadership Award

