

UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF
LOUISIANA, LAFAYETTE DIVISION

LECO Properties, LLC v. City of Kaplan, et al.

LECO Properties · No. 6:24-cv-1177 · Decided March 20, 2026

SUMMARY

The United States District Court for the Western District of Louisiana ruled on cross-motions for summary judgment in a zoning dispute involving LECO Properties, LLC’s planned mobile-home subdivision in Kaplan, Louisiana. The court granted summary judgment to the City of Kaplan and related defendants, holding that the rezoning from R-2 to R-1 did not constitute a federal or Louisiana constitutional taking and that LECO’s substantive due process claims failed. The ruling concludes that LECO had not shown the loss of all economically viable or practical uses of the property and that the rezoning was a permissible exercise of municipal police power.

CASE DETAILS

COURT	United States District Court for the Western District of Louisiana, Lafayette Division
WRITING FOR THE COURT	David C. Joseph
JURISDICTION	United States District Court for the Western District of Louisiana, Lafayette Division
DECIDED	March 20, 2026
DOCKET	6:24-cv-1177
DISPOSITION	other
PROCEDURAL POSTURE	The parties filed cross-motions for summary judgment in an action removed from Louisiana state court involving zoning, regulatory takings, substantive due process, and claims against municipal officials under 42 U.S.C. § 1983.
STANDARD OF REVIEW	Summary judgment is proper when there is no genuine dispute as to any material fact and the movant is entitled to judgment as a matter of law. Cross-motions are considered independently, with the evidence and reasonable inferences viewed in favor of the nonmoving party on each motion. Zoning and substantive due process claims are reviewed under deferential rational-basis principles where applicable, and regulatory takings claims are evaluated under the Penn Central factors.

PRECEDENTIAL VALUE	unpublished district court memorandum ruling; precedential status unknown
PARTIES	LECO Properties, LLC v. City of Kaplan, Michael Kloesel, Michael Renfrow

TOPICS

zoning takings clause substantive due process section 1983 qualified immunity

PRACTICE AREAS

real estate constitutional law civil rights municipal law remedies

QUESTIONS PRESENTED

1. Whether the City's rezoning of Legion Park from R-2 to R-1 effected an unconstitutional regulatory taking under the Fifth Amendment or Louisiana law.
2. Whether the City's denial of utilities and rezoning violated LECO's federal and state substantive due process rights.
3. Whether the claims against the mayor and council member in their official capacities were duplicative of the claims against the City.
4. Whether LECO stated viable individual-capacity claims against the mayor and council member and overcame their qualified-immunity defense.

HOLDINGS

1. The City's rezoning of Legion Park from R-2 to R-1 did not constitute a compensable regulatory taking under the Fifth Amendment.
2. LECO's state-law takings claim failed because it did not show that the rezoning destroyed a major portion of the property's value, eliminated all practical economic use, or otherwise rendered the property economically nonviable.
3. The City's denial of utilities and rezoning did not violate LECO's federal or state substantive due process rights because the actions were rationally related to legitimate governmental interests and were not arbitrary or capricious.
4. The official-capacity claims were duplicative of the claims against the City, and the individual-capacity claims failed because LECO identified no viable underlying constitutional violation and did not overcome qualified immunity.

KEY QUOTATIONS

"The Takings Clause requires courts to determine when regulatory action crosses the line from ordinary governance into a compensable taking."

“Zoning laws are, of course, the classic example, ... which have been viewed as permissible governmental action even when prohibiting the most beneficial use of the property.”

“Accordingly, dismissal of LECO’s claims against Mayor Kloesel and Councilman Renfrow in their individual capacities is warranted.”

FACTUAL BACKGROUND

LECO acquired the Legion Park property in Kaplan, Louisiana, after the City rezoned it from R-1 residential use to R-2 residential use, the latter permitting mobile homes. LECO invested in developing the property as a mobile-home community and obtained various permits. After residents complained about the appearance and perceived impacts of the installed units, the City rezoned the property back to R-1, which prevented LECO from using the property as originally intended. The City also declined to authorize utilities, and LECO sued the City, its mayor, and a council member.

PROCEDURAL HISTORY

LECO filed suit in the Fifteenth Judicial District Court for Vermilion Parish on July 22, 2024. Defendants removed the case to the Western District of Louisiana on August 28, 2024, based on federal-question jurisdiction. After discovery, both sides moved for summary judgment. The court granted Defendants' motion, denied LECO's motion, and dismissed LECO's claims with prejudice.

DISPOSITION

other

CASES CITED

- Celotex Corp. v. Catrett, 477 U.S. 317, 323-24 (1986)
- Deshotel v. Wal-Mart La., L.L.C., 850 F.3d 742, 745 (5th Cir. 2017)
- Anderson v. Liberty Lobby, Inc., 477 U.S. 242, 255 (1986)
- Springboards To Education, Inc. v. Houston Independent School District, 912 F.3d 805, 811 (5th Cir. 2019)
- JP Morgan Chase Bank, N.A. v. DataTreasury Corp., 823 F.3d 1006, 1011 (5th Cir. 2016)
- Joplin v. Bias, 631 F.2d 1235, 1237 (5th Cir. 1980)
- Bricklayers, Masons & Plasterers International Union of America, Local Union No. 15 v. Stuart Plastering Co., 512 F.2d 1017, 1023 (5th Cir. 1975)
- Petro Harvester Operating Co., L.L.C. v. Keith, 954 F.3d 686, 700 (5th Cir. 2020)
- Lingle v. Chevron U.S.A. Inc., 544 U.S. 528, 536, 539 (2005)
- Penn Central Transportation Co. v. City of New York, 438 U.S. 104, 123-25 (1978)
- Dennis Melancon, Inc. v. City of New Orleans, 703 F.3d 262, 269 (5th Cir. 2012)
- Lucas v. South Carolina Coastal Council, 505 U.S. 1003, 1030 (1992)
- Texas Midstream Gas Services LLC v. City of Grand Prairie, 608 F.3d 200, 207 (5th Cir. 2010)
- Glickman v. Jefferson Parish, 224 So. 2d 141, 144-45 (La. App. 4th Cir. 1969)

- Hackbelt 27 Partners, L.P. v. City of Coppell, 661 F. App'x 843, 850 (5th Cir. 2016)
- Dolan v. City of Tigard, 512 U.S. 374, 385 (1994)
- Concrete Pipe & Products of California, Inc. v. Construction Laborers Pension Trust for Southern California, 508 U.S. 602, 645 (1993)
- City of Monterey v. Del Monte Dunes at Monterey, Ltd., 526 U.S. 687 (1999)
- Robinson v. City of Baton Rouge, 2016 WL 6211276, at *41 (M.D. La. Oct. 22, 2016)
- Jackson Court Condominiums, Inc. v. City of New Orleans, 874 F.2d 1070, 1080 (5th Cir. 1989)
- Legacy Housing Corp. v. City of Horseshoe Bay, Tex., 158 F.4th 636, 643 (5th Cir. 2025)
- Legacy Housing, 2024 WL 2867810, at *19-20 (W.D. Tex. Apr. 23, 2024)
- Love Terminal Partners, L.P. v. United States, 889 F.3d 1331, 1345 (Fed. Cir. 2018)
- Robert v. State, 327 So. 3d 546 (La. App. 4th Cir. 2021)
- Layne v. City of Mandeville, 633 So. 2d 608, 612 (La. App. 1st Cir. 1994)
- Major v. Pointe Coupee Parish Police Jury, 978 So. 2d 952, 956 (La. App. 1st Cir. 2008)
- Vineyard Investment, LLC v. City of Madison, Miss., 757 F. Supp. 2d 607, 611-12 (S.D. Miss. 2010), aff'd, 440 F. App'x 310 (5th Cir. 2011)
- Levitt v. University of Texas at El Paso, 759 F.2d 1224, 1231 (5th Cir. 1985)
- John Corp. v. City of Houston, 214 F.3d 573, 582-83 (5th Cir. 2000)
- Graham v. Connor, 490 U.S. 386 (1989)
- Simi Investment Co. v. Harris County, Texas, 236 F.3d 240, 249-51 (5th Cir. 2000)
- FM Properties Operating Co. v. City of Austin, 93 F.3d 167, 174-75 (5th Cir. 1996)
- Exxon Corp. v. Governor of Maryland, 437 U.S. 117, 124 (1978)
- Ferguson v. Skrupa, 372 U.S. 726, 731 (1963)
- Shelton, 780 F.2d 477
- Village of Euclid v. Ambler Realty Co., 272 U.S. 365, 388 (1926)
- Zahn v. Board of Public Works, 274 U.S. 325 (1927)
- DeSelle v. Lafayette City-Parish Consolidated Government, 2026 WL 701676, at *1-2 (W.D. La. Mar. 12, 2026)
- Monell v. Department of Social Services, 436 U.S. 658 (1978)
- Howell v. Town of Ball, 2012 WL 3962387, at *4 (W.D. La. Sept. 4, 2012)
- Castro Romero v. Becken, 256 F.3d 349 (5th Cir. 2001)
- Edmonds v. Department of Public Works, 390 So. 3d 917, 924 (La. App. 4th Cir. 2024)
- Hughes v. Garcia, 100 F.4th 611, 618 (5th Cir. 2024)
- Malley v. Briggs, 475 U.S. 335, 341 (1986)
- Ramirez v. Escajeda, 921 F.3d 497, 499 (5th Cir. 2019)
- Driscoll v. Stucker, 893 So. 2d 32, 52 (La. 2005)
- Fields v. State Through Department of Public Safety & Corrections, 714 So. 2d 1244, 1250 (La. 1998)
- Theriot v. Terrebonne Parish Police Jury, 436 So. 2d 515, 520 (La. 1983)

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