



# LAND USE CASE LAW UPDATES

## Part 2

**James L. Dougherty, Jr.**

**28<sup>th</sup> Annual Land Use Conference**

**University of Texas CLE**

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## VII. ZONING ENFORCEMENT (ADMINISTRATIVE OFFICIALS)

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**Background** Chapter 211, LGC

● **Sec. 211.009:** ZBA can hear an "appeal" that alleges error in order decision, etc. "in the enforcement" of zoning

● **Sec. 211.010:** --Certain persons "may appeal to the Board"  
If decision **not** related to a specific project:  
persons aggrieved, or city officials  
If decision **is** related to specific project:  
owner, persons aggrieved if w-in 200 feet, etc.

**Muns case:** --Now: 20-day deadline to file, 60-day deadline to rule  
Staff statements (STR's were "prohibited," "not a permitted use" etc.) were "informational" and not "in the enforcement" of enabling act or zoning ordinance

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