

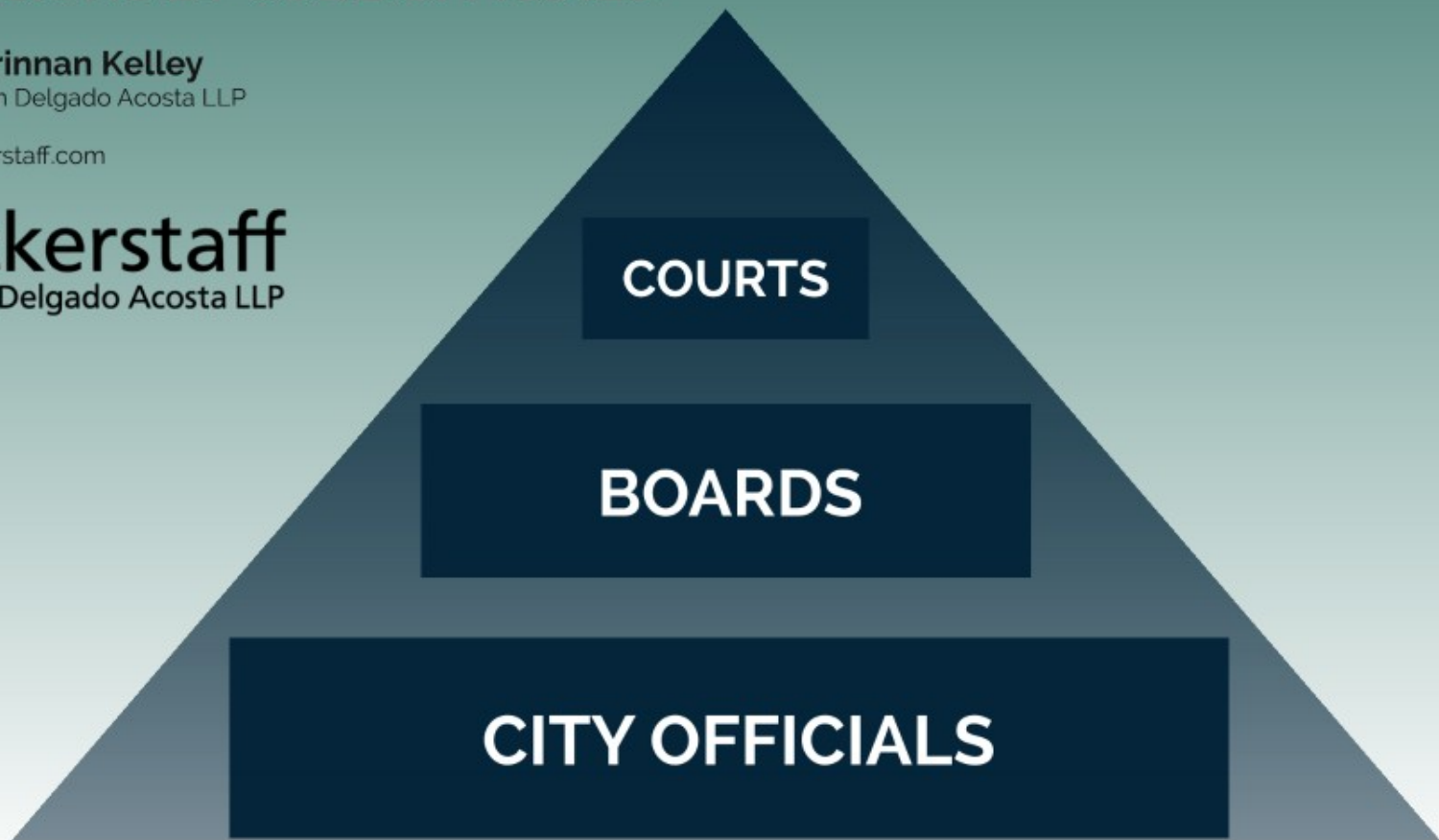
ADMINISTRATIVE APPEALS OF DECISIONS BY CODE OFFICIALS

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ADMINISTRATIVE APPEALS

The situation:

- Citizens originally go before a board to request a variance, special exception, etc.; or
- A city official makes a decision that the board can review



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Best Example: A Board of Adjustment



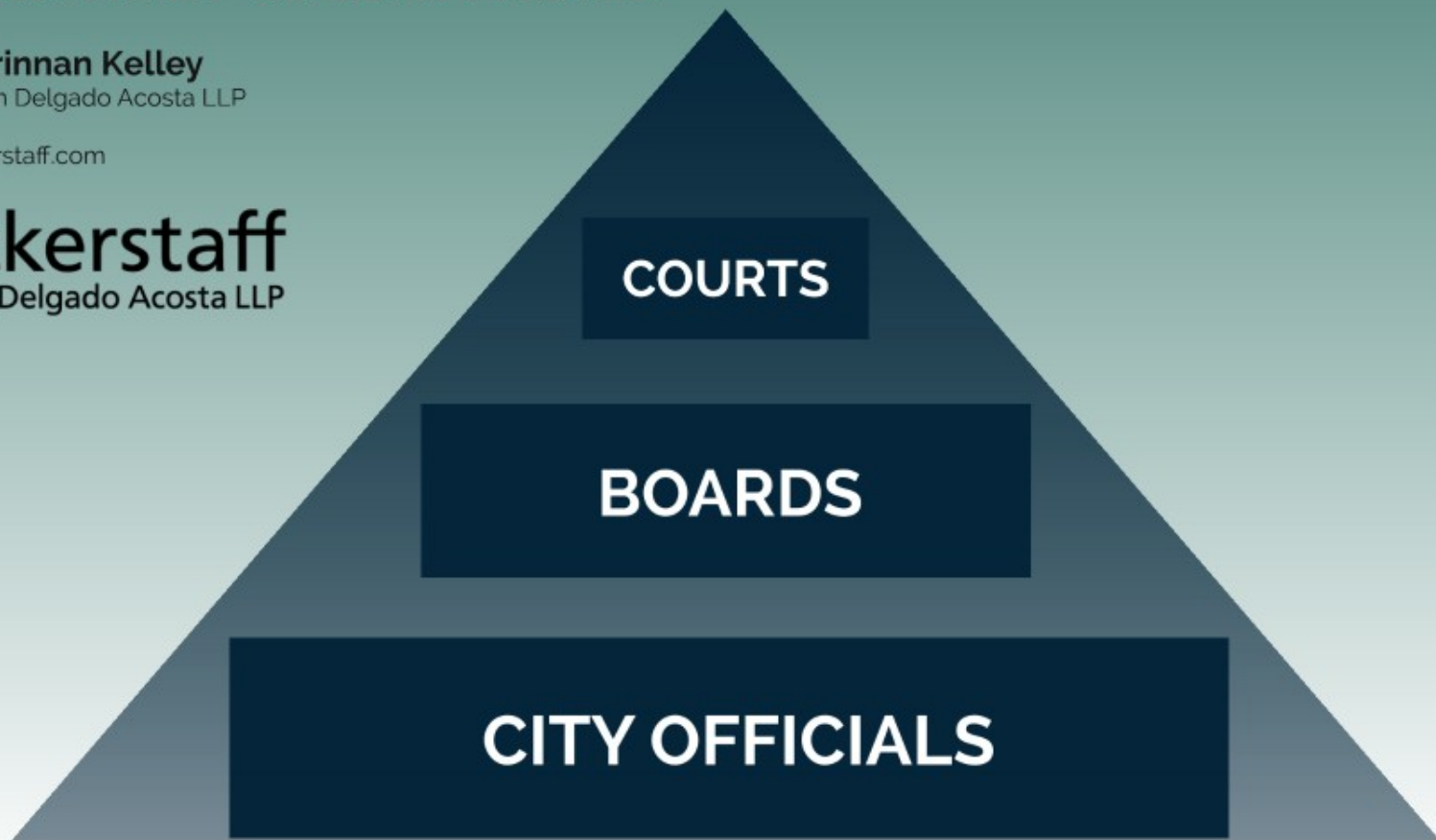
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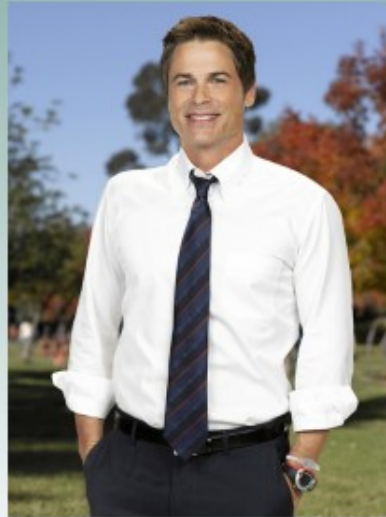


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• *Anthony v. Board of Adjustment of City of Stephenville*, 2014 WL 3398139 (Tex. App. - Eastland, July 10, 2014, no pet.)



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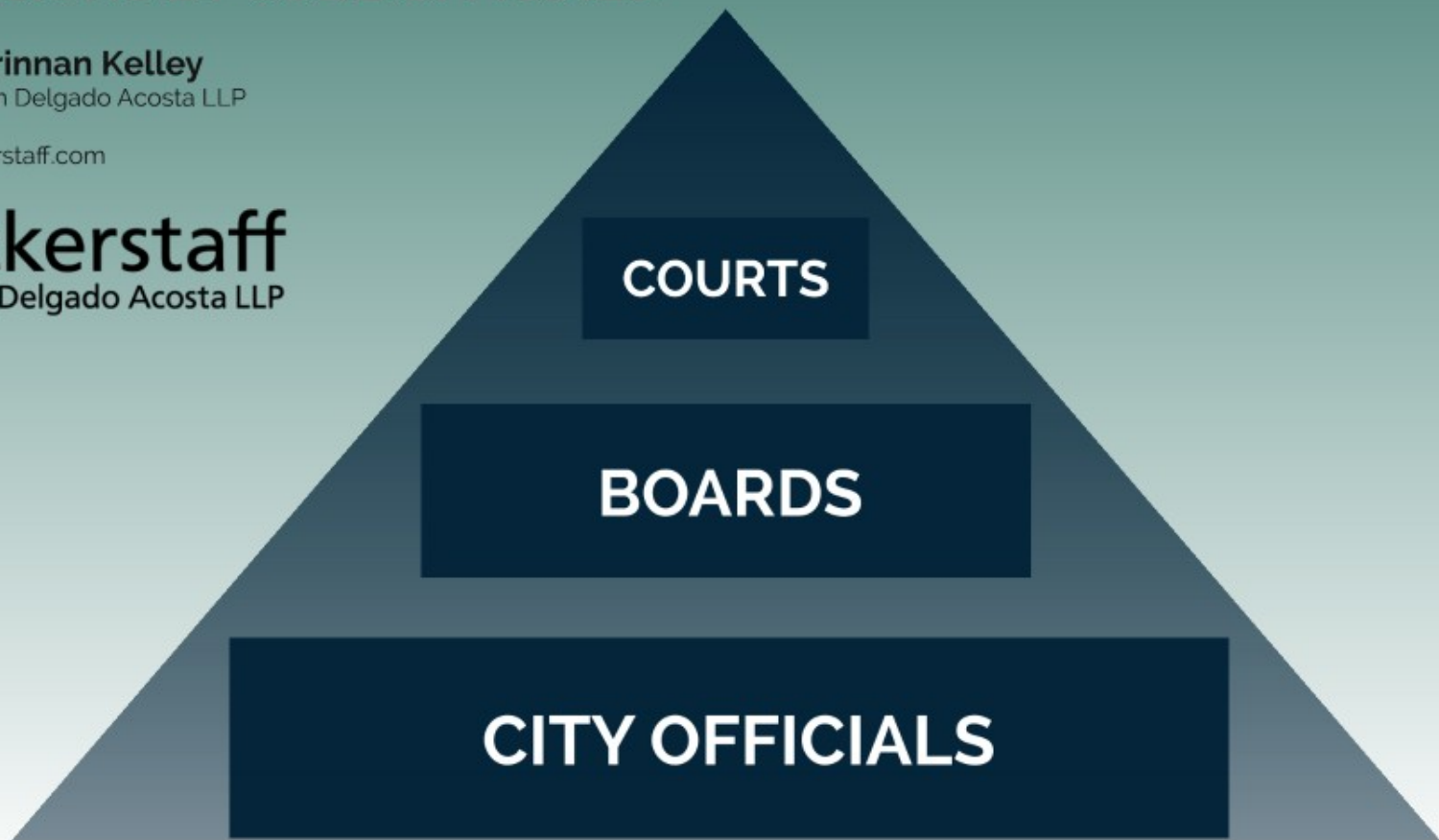
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Chapter 216: Regulation of Signs by Municipalities



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Note: Taxpayers who are not aggrieved can only appeal *from* a BOA decision LGC 211.011(a)(2)



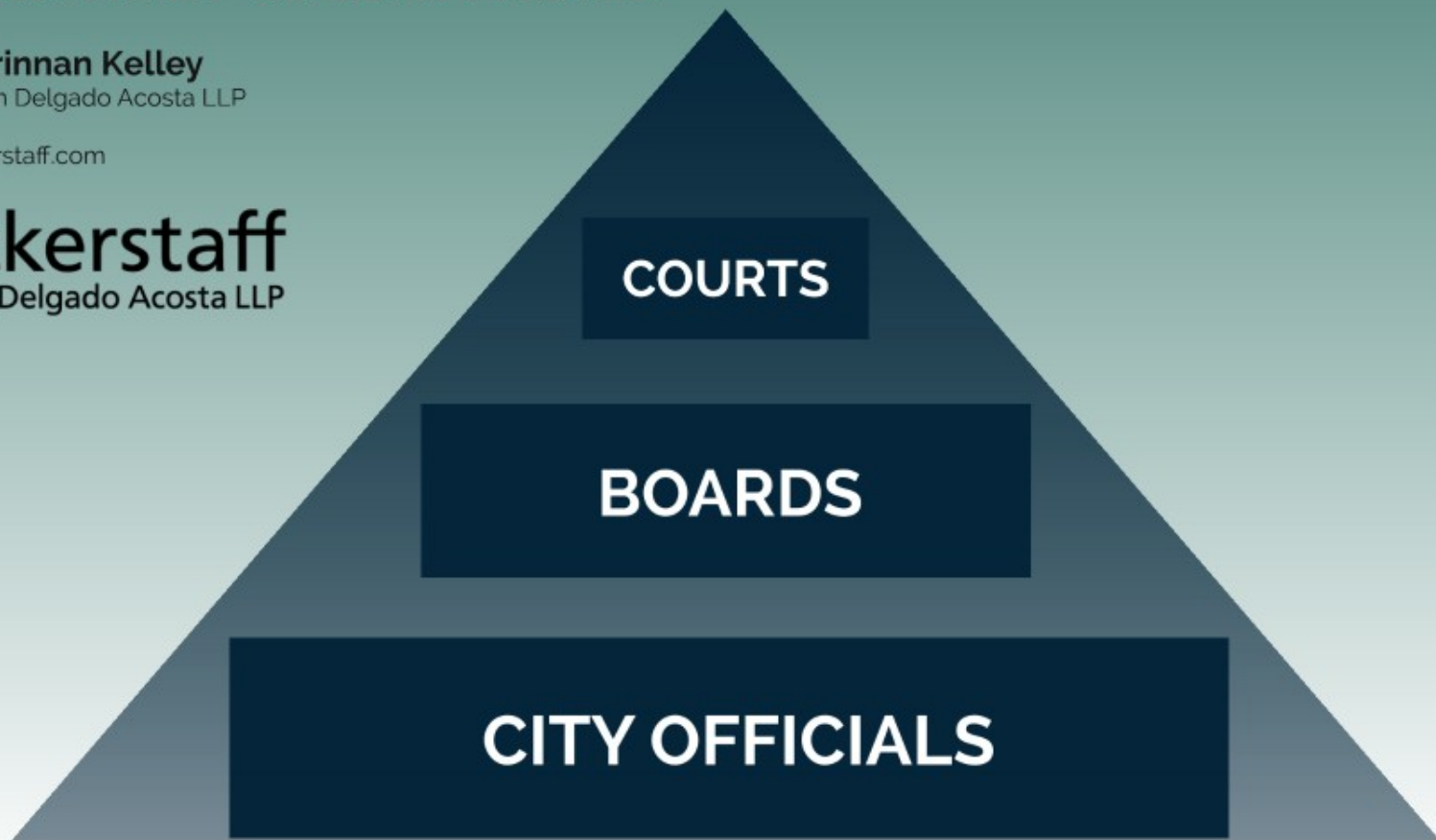
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This is the one opportunity to create a record!

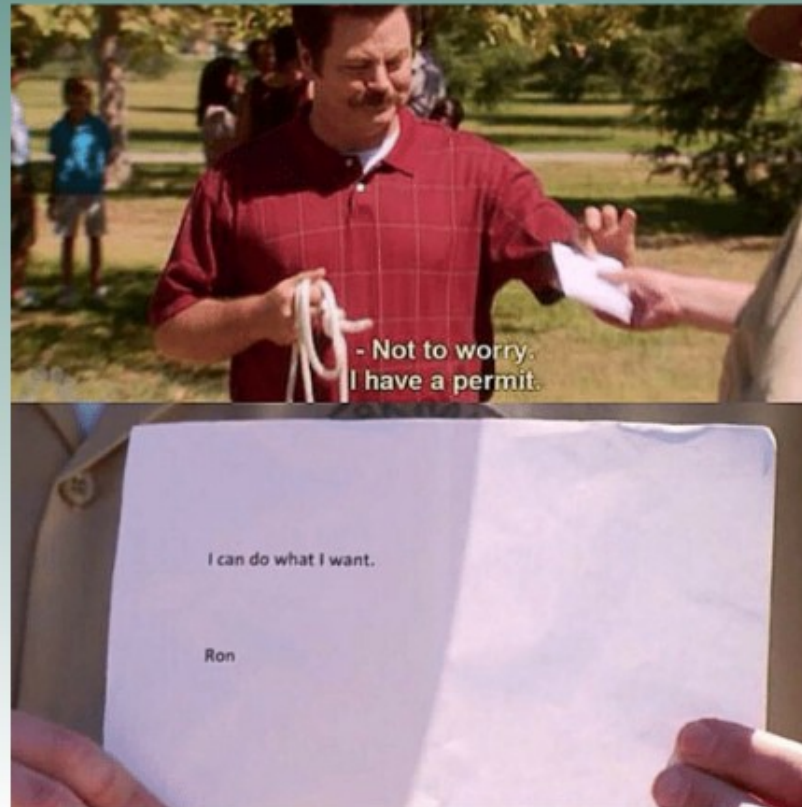


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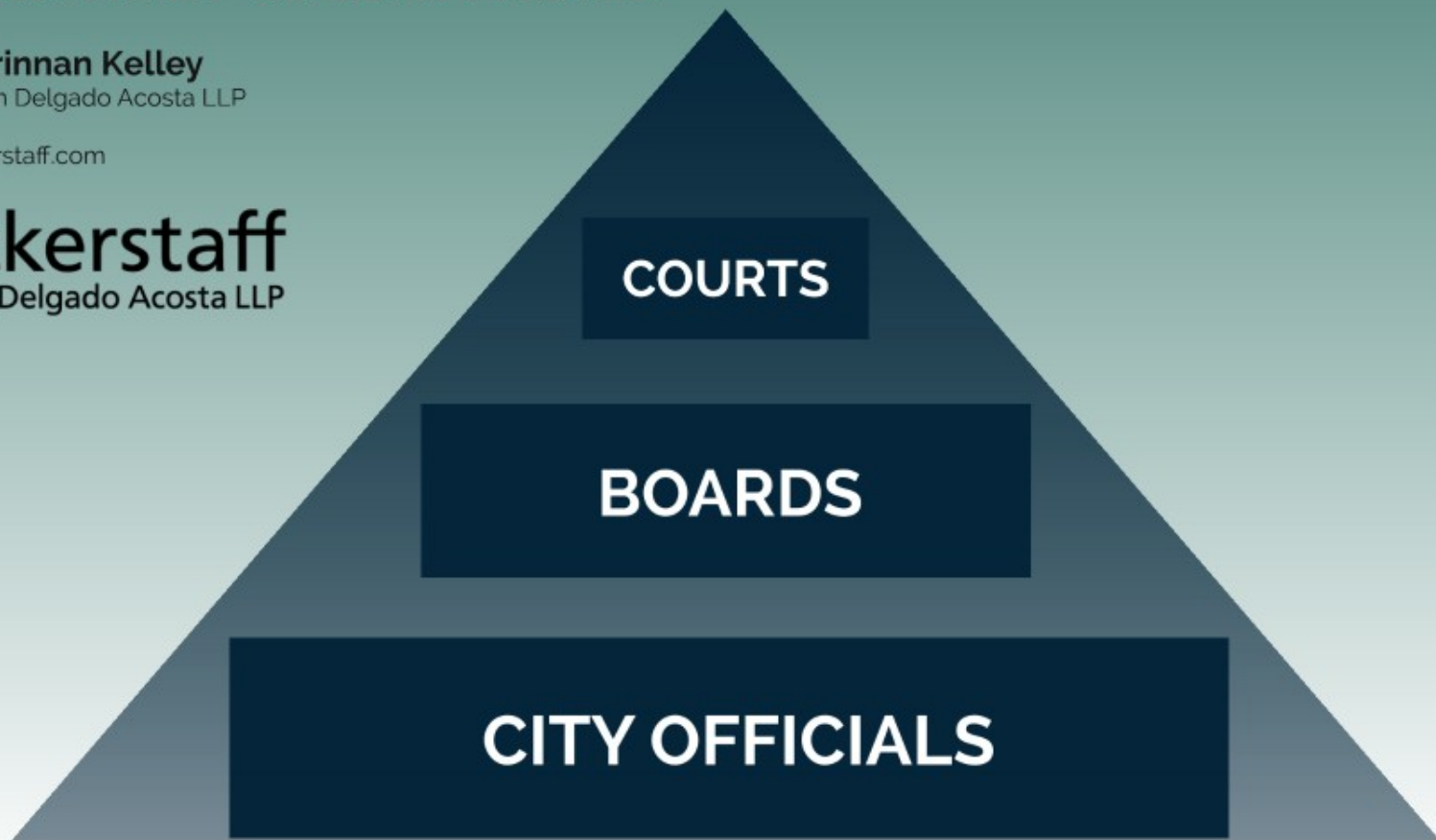
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BOARDS

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LGC 211



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- In Type A general law cities, may be the city council. LGC 211.008(g)



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Building code boards of review;
other city created boards



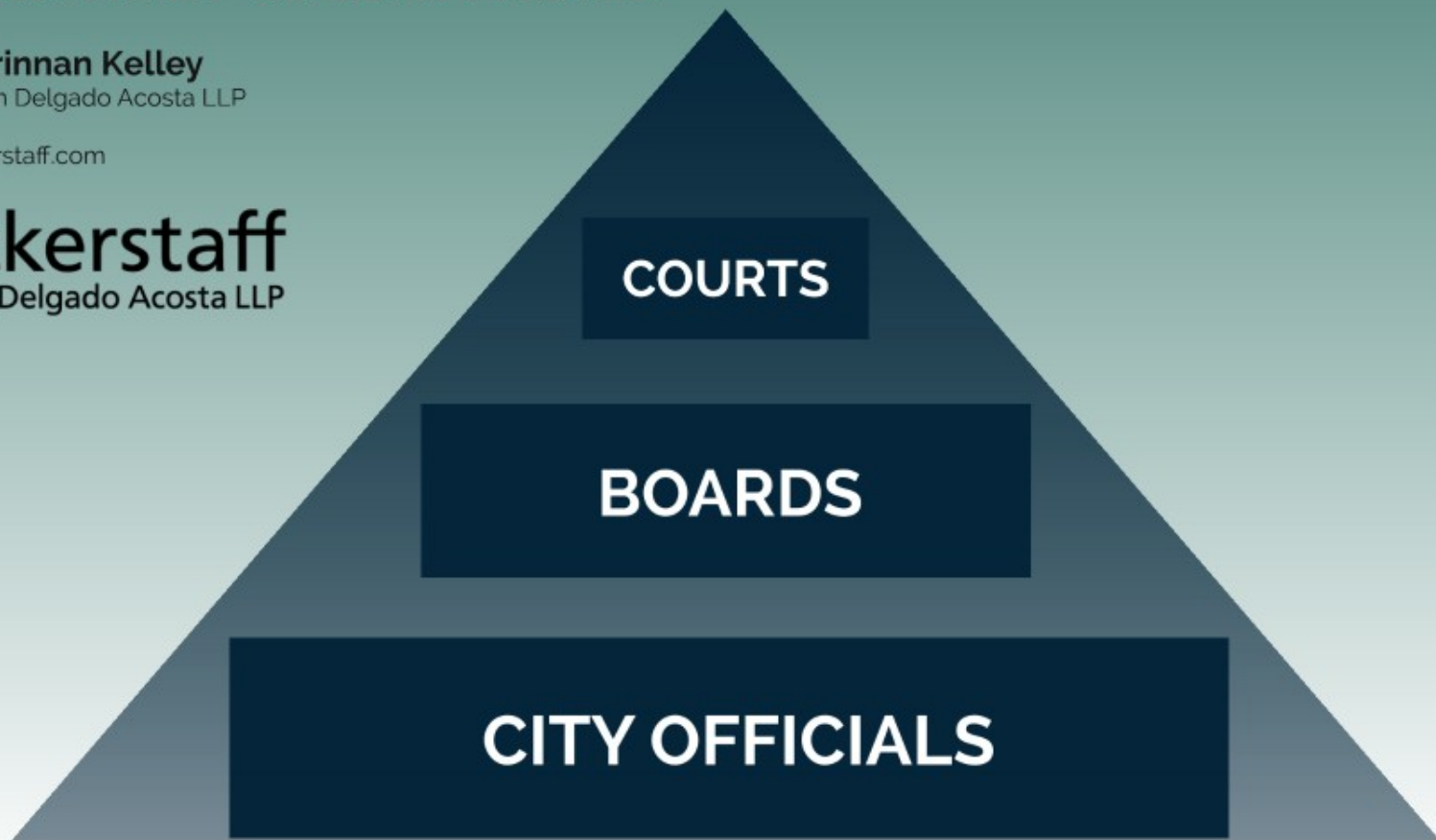
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BOARDS

What role does the board play?



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If the appellant presents new information the official asked for but was not provided, remand the case to the official

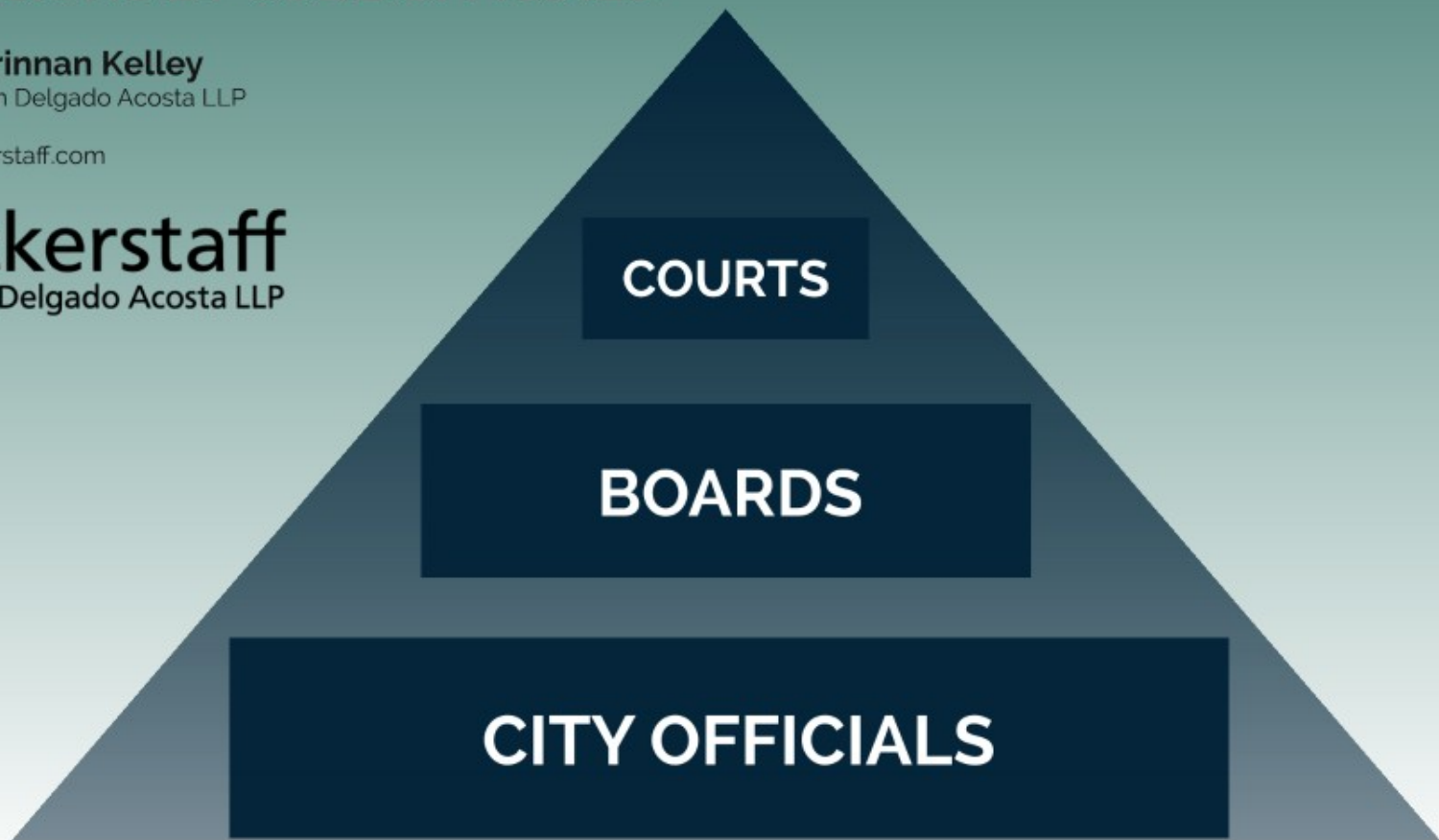
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Avoid confusion about when the citizen has waived their right to appeal

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Be prepared: If a writ is granted, "[t]he board's return must be verified and must **concisely state any pertinent and material facts that show the grounds of the decision under appeal." LGC 211.011(d)**

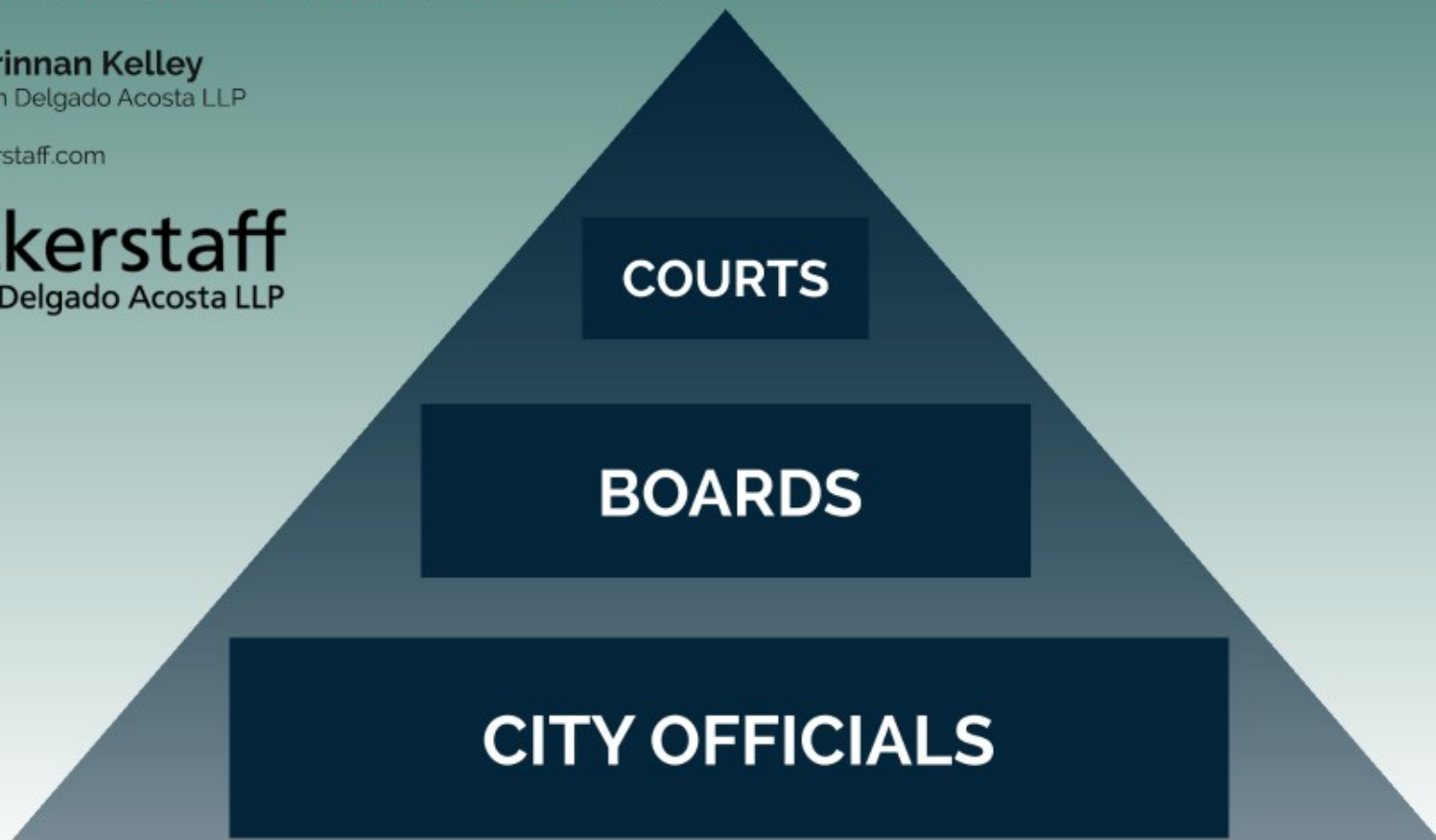
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COURTS

Writ of Certiorari



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COURTS

Writ of Certiorari

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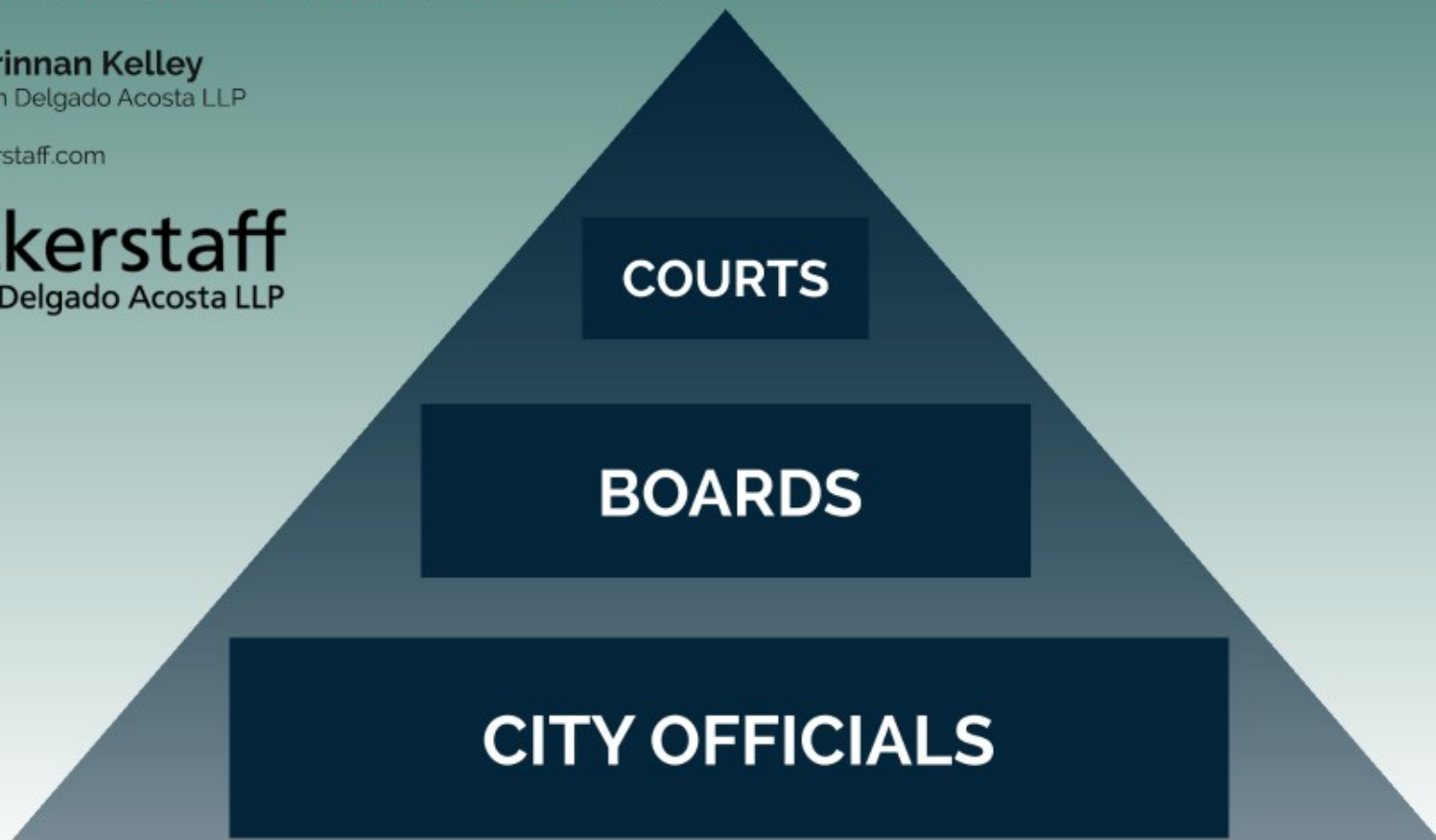
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BOARDS

Other types of boards



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Other types of boards

- General law v. Home rule



BOARDS

Other types of boards

- General law v. Home rule
- Dangerous buildings, historic use, etc.



BOARDS

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- General law v. Home rule
- Dangerous buildings, historic use, etc.
- Best practices apply



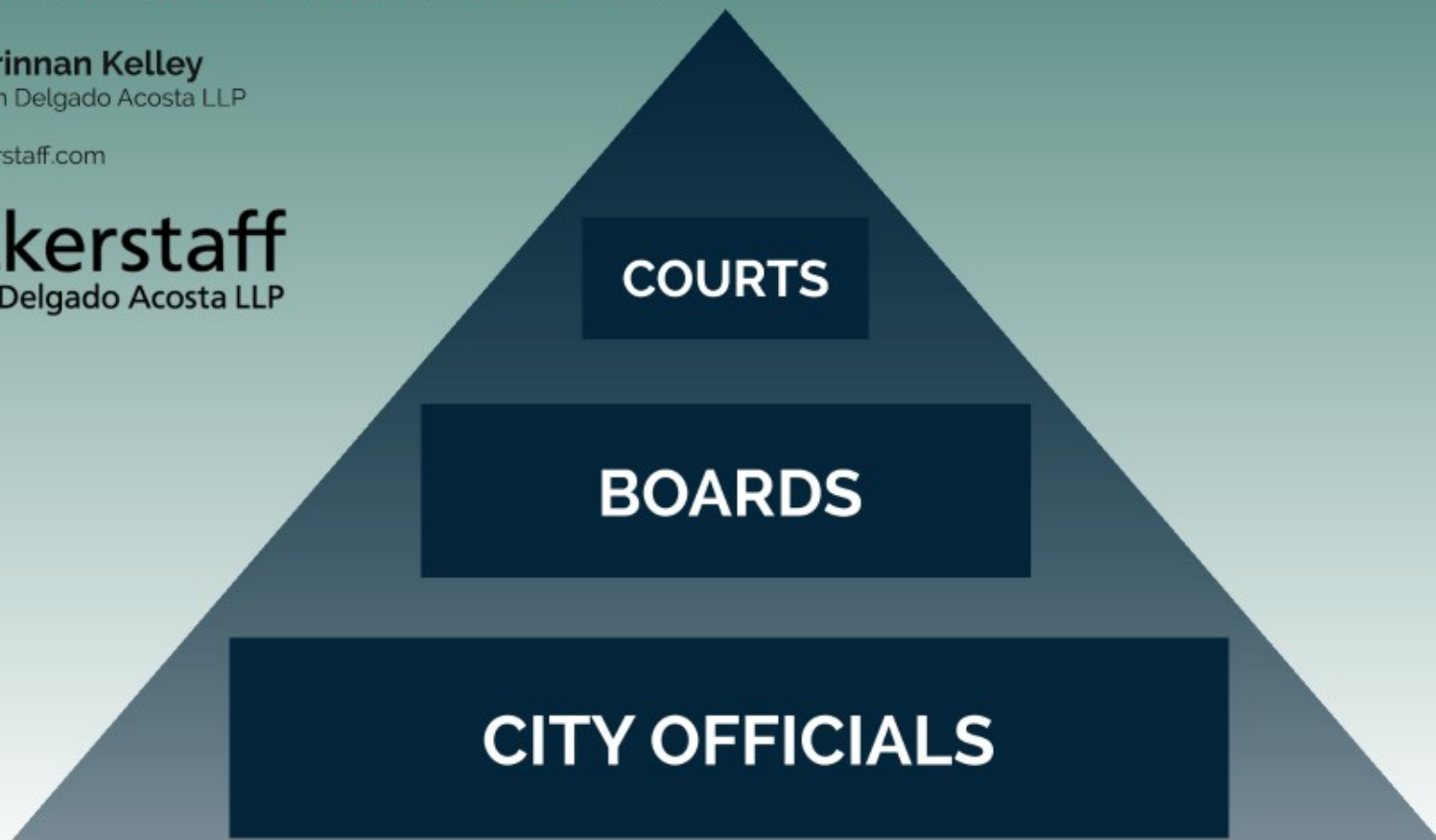
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