THE CITY OF MOBILE, ALABAMA
BOARD OF ZONING ADJUSTMENT

LETTER OF DECISION

November 9, 2026

Adric Bush
The Comforter Heating & Air Conditioning
2459 Third Ave
Mobile, Al 36617

Re: 6786/6647
BOA-003876-2026
2460 Third Avenue
The Comforter Heating & Air Conditioning
District 1
Use Variance to allow an HVAC contractor with reduced access and maneuvering area, no residential buffer, and no tree planting and landscape area in an R-1, Single-Family Residential Urban District; the Unified Development Code (UDC) does not allow an HVAC contractor in an R-1, Single-Family Residential Urban District, requires full compliance with access and maneuvering areas, compliant residential buffers, and full compliance with tree planting and landscape area requirements.

Dear Applicant(s) / Property owner(s):

At its meeting on November 5, 2026, the Board of Zoning Adjustment considered the above referenced application.

After discussion, the Board determined the following findings of fact for approval:

A) The variance will not be contrary to the public interest;
B) Special conditions exist such that a literal enforcement of the provisions of the chapter will result in unnecessary hardship; and
C) The spirit of the chapter shall be observed and substantial justice done to the applicant and the surrounding neighborhood by granting the variance.

The approval is subject to the following conditions:

1) The wooden privacy fence is to be maintained;
2) Revision of the site plan to provide a compliant 18-foot depth to the parking stalls, with compliant access and maneuvering area within the paved surface;
3) Obtaining of after-the-fact sign permits for the one (1) freestanding sign and two (2) wall signs;
4) Removal of the wind sock signs;

5) Revision of the site plan to provide a public sidewalk within the right-of-way and a Pedestrian Connection to the office building, should the Sidewalk Waiver be denied by the Planning Commission;
6) Submittal to and approval by Planning and Zoning of a revised site plan; and
7) Full compliance with all municipal codes and ordinances.

No permit, license or certification can be issued until the 15-day appeal period has expired and no appeal has been made. If a permit/license has not been obtained on or before May 5, 2027, the variance will expire and become null and void.

Any party aggrieved by this decision may, within fifteen days of the date of the decision, appeal to the Circuit Court of Mobile County by filing a written notice of appeal, specifying the decision from which the appeal is taken. Notice of the appeal, as well as a date stamped copy of the appeal filed in Circuit Court, must be filed with this Board within the fifteen-day appeal period.

For further assistance, please call 251-208-5895.

Sincerely,

BOARD OF ZONING ADJUSTMENT
William Guess, Chairman

By: Stephen Guthrie
Stephen Guthrie
Deputy Director of Planning and Zoning