



THE CITY OF MOBILE, ALABAMA
BOARD OF ZONING ADJUSTMENT

LETTER OF DECISION

July 14, 2026

Thomas Fisher
SMART Local 441
PO Box 6708
Mobile, AL 36606

Re: 6761/6701
BOA-003738-2026
2449 & 2453 Eslava Creek Parkway
SMART Local 441 (George R. Cowles, Agent)
District 2
Front Yard Setback and Parking Variances to allow construction of a new structure less than 25-feet from the front property line and reduced parking in a B-3, Community Business Suburban District; the Unified Development Code (UDC) requires full compliance with setbacks and parking requirements in a B-3, Community Business Suburban District.

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

At its meeting on July 13, 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) Compliance with the applicable development provisions of Article 3 of the UDC;
- 2) Revision of the site plan to correctly reflect parking ratios;
- 3) Compliance with all Engineering Comments noted in this staff report;
- 4) Compliance with all Traffic Engineering comments noted in this staff report;
- 5) Compliance with all Urban Forestry comments noted in this staff report;
- 6) Compliance with all Fire Department comments noted in this staff report; and
- 7) Full compliance with all other municipal codes and ordinances.

July 14, 2026

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 January 13, 2027, the variance will expire and become null and void.

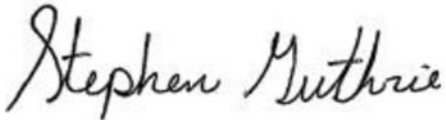
Any party aggrieved by this decision may, within fifteen days of the date of the decision, appeal to the Circuit Court of Mobile County by filing a written notice of appeal, specifying the decision from which the appeal is taken. Notice of the appeal, as well as a date stamped copy of the appeal filed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

A handwritten signature in black ink that reads "Stephen Guthrie". The signature is written in a cursive, flowing style.

By: _____
Stephen Guthrie
Deputy Director of Planning and Zoning