

BOARD OF ZONING APPEALS DIVISION I

August 5, 2025

Case Number: 2025-DV1-030 (Amended)
Address: 2110 Bloyd Avenue (approximate address)
Location: Center Township, Council District #8
Zoning: I-3
Petitioner: Covenant Commercial Investments 1 LLC, by Justin Kingen
Request: Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for the construction of a building with a two-foot front transitional yard from Bloyd Avenue, a ten-foot front yard setback from Jefferson Avenue and a three-foot north side yard setback (40-foot front transitional yard, 30-foot front yard setback, 10-foot side yard setbacks required), encroaching within the clear sight triangle of Bloyd Avenue and Jefferson Street (encroachment not permitted), and with 21 parking spaces provided (71 parking spaces required).

Current Land Use: Pet Crematorium.

Staff Recommendation: Staff recommends approval of this petition.

Staff Reviewer: Robert Uhlenhake, Senior Planner

PETITION HISTORY

This petition was continued from the July 1, 2025, hearing, to the August 5, 2025, hearing, in order to amend the petition, and provide new notice.

STAFF RECOMMENDATION

Staff recommends **approval** of this petition.

PETITION OVERVIEW

- ◇ The subject site was previously granted a Special Exception (2019-SE2-002), to provide for a crematory, and a Variance of Use (2019-UV2-008) to provide for funeral home/mortuary.
- ◇ The subject site is zoned I-3 and is currently improved with a pet crematory operation. Other light to medium industrial uses surround the property to the East, North and West. Single family dwellings are adjacent to the South. The Comprehensive Plan recommends light industrial uses for the site.
- ◇ The petitioner proposes to construct a building on the southeast corner of the subject site, with a two-foot front transitional yard from Bloyd Avenue, a ten-foot front yard setback from Jefferson Avenue and a three-foot north side yard setback, encroaching within the clear sight triangle of Bloyd Avenue and Jefferson Street, with 21 parking spaces provided.

- ◇ The subject site is situated adjacent to four (4) street rights-of-way as well as a vacated Conrail railroad, which makes it difficult in locating new development on the limited-area site.
- ◇ As the immediate area developed, the adjacent streets were reconfigured or vacated. Jefferson Avenue, east of the subject site was vacated north of the railroad tracks and currently dead ends at the right of way for a proposed greenway, north of the subject site. Greenbriar Lane, a platted right-of-way, was never extended beyond the railroad tracks west of the subject site.
- ◇ Therefore, in Staff's opinion, as this portion of Jefferson Avenue is a dead-end street that is likely to be vacated sometime in the future, the request for the reduced setbacks and encroachment into the clear sight triangle as proposed, would have minimal impact on surrounding properties, due to the non-existent use of Jefferson Street, and the similar setback of the existing building on site. The proposed location for the new structure would not be out of context with the existing surrounding area.
- ◇ This request would also provide for 21 parking spaces where 71 parking spaces are required. The Plan of Operation from the previously granted Special Exception, indicates that the majority of clients are not expected to come to the site, as the facility will provide transportation to and from their facility in conjunction with other agencies such as hospitals, funeral homes, and veterinarians.
- ◇ Therefore, Staff is supportive of the reduced parking request as the need for the required parking is diminished by the type of operation having limited public contact and no walk-up facilities.

GENERAL INFORMATION

Existing Zoning	I-3	
Existing Land Use	Pet Crematorium Facility	
Comprehensive Plan	Light Industrial	
Surrounding Context	Zoning	Surrounding Context
	North: I-3 / C-S	Proposed Greenway / Warehouse distribution
	South: D-5	Single-Family Dwellings
	East: I-3	Industrial Warehouse
	West: I-3	Industrial Warehouse
Thoroughfare Plan		
	Bloyd Avenue	Local Street 68-foot existing and proposed right-of-way.
	Jefferson Avenue	Local Street 50-foot existing and proposed right-of-way.
Context Area	Compact area	
Floodway / Floodway Fringe	No	
Overlay	N/A	
Wellfield Protection Area	No	
Site Plan	May 29, 2025	
Elevations	N/A	
Landscape Plan	N/A	
Findings of Fact - Amended	July 30, 2025	

COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

- Marion County Land Use Plan Pattern Book (2019)

Pattern Book / Land Use Plan

- The Marion County Land Use Plan Pattern Book (2019) recommends Light Industrial development of the site.
- The Light Industrial typology provides for industrial, production, distribution, and repair uses conducted within enclosed structures and unlikely to create emissions of light, odor, noise, or vibrations. This typology is characterized by freestanding buildings or groups of buildings, often within industrial parks. Typical uses include warehousing, self-storage, assembly of parts, laboratories, wholesaling, and printing. Industrial or truck traffic should be separated from local/residential traffic.

Red Line / Blue Line / Purple Line TOD Strategic Plan

- Not Applicable to the Site.

Neighborhood / Area Specific Plan

- Not Applicable to the Site.

Infill Housing Guidelines

- Not Applicable to the Site.

Indy Moves

(Thoroughfare Plan, Pedestrian Plan, Bicycle Master Plan, Greenways Master Plan)

- Not Applicable to the Site.

ZONING HISTORY

2019-UV2-008; 2110 Bloyd Avenue (subject site), requested a Variance of Use of the Consolidated Zoning and Subdivision Ordinance to provide for a funeral home/mortuary, **granted**.

2019-SE2-002; 2110 Bloyd Avenue (subject site), requested a Special Exception to provide for a crematory, **granted**.



Department of Metropolitan Development
Division of Planning
Current Planning

2013-UV3-016; 2110 Bloyd Avenue (subject site), requested a Variance of Use and Development Standards of the Industrial Zoning Ordinance to provide for automobile sales and display, with an office, all associated with automobile detailing, automobile repair and automobile restoration, with a paint booth and enclosed storage area, with zero-foot front and side setbacks, and with a trash enclosure in front of the established building line along Jefferson Avenue, **granted.**

2003-ZON-840; Keystone Enterprise Park, (north of site), requested the rezoning of approximately 44.46 acres from the D-5 and SU-1 Districts to the C-S District to provide for an integrated business park with retail, office, and industrial uses, **granted.**

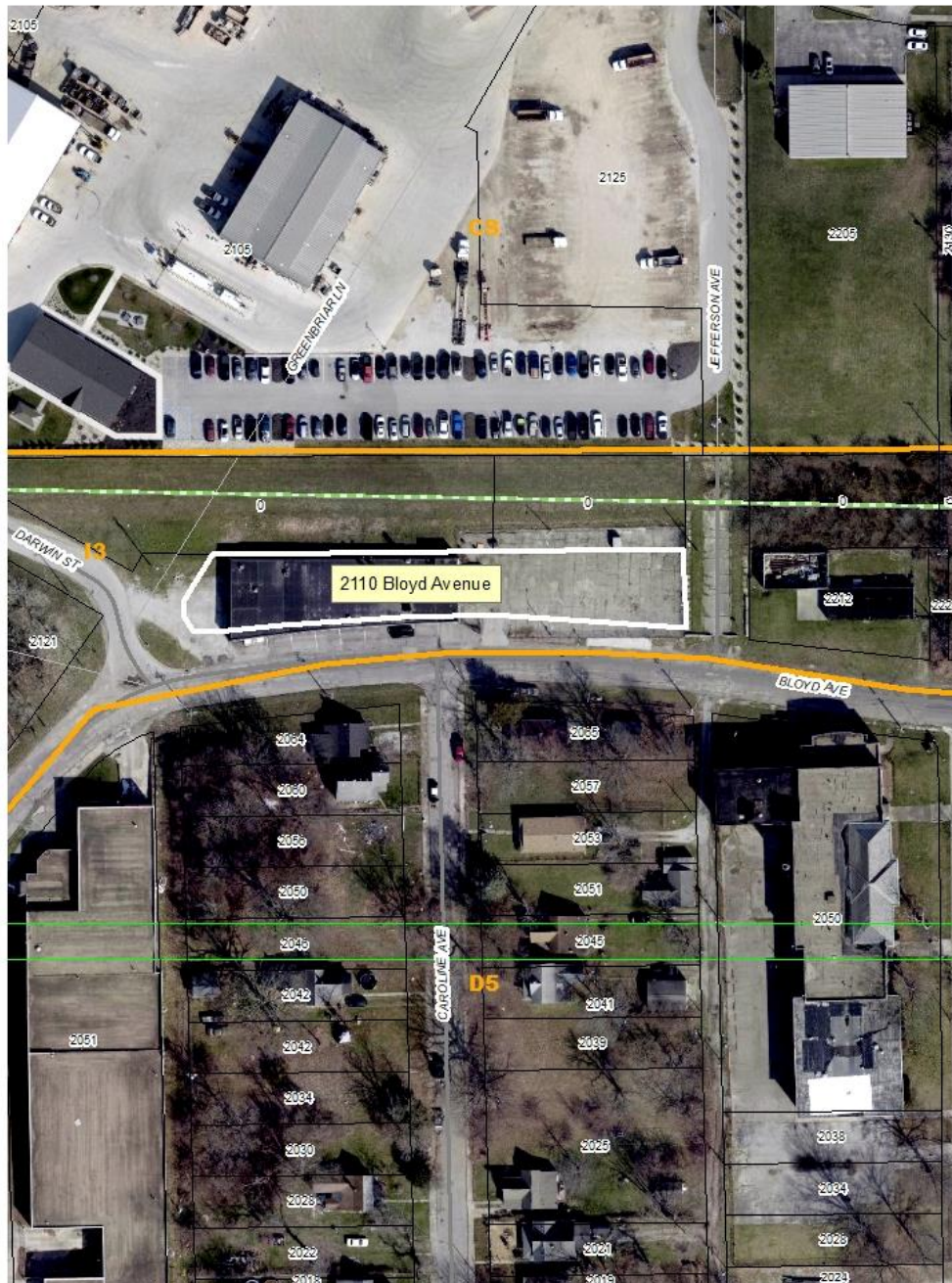
88-V2-133; 2102 Greenbriar Lane, (northwest of site), requested a Variance of Development Standards of the Dwelling Districts Zoning Ordinance to provide for a 21.5-foot transitional setback, **granted.**

69-Z-245; 2020 Darwin Street, (northwest of site). Rezoning of approximately 1.44 acres from the D-5 and I-3-U Districts to the I-3-U District to provide for chemical distributors and warehousing, **approved.**

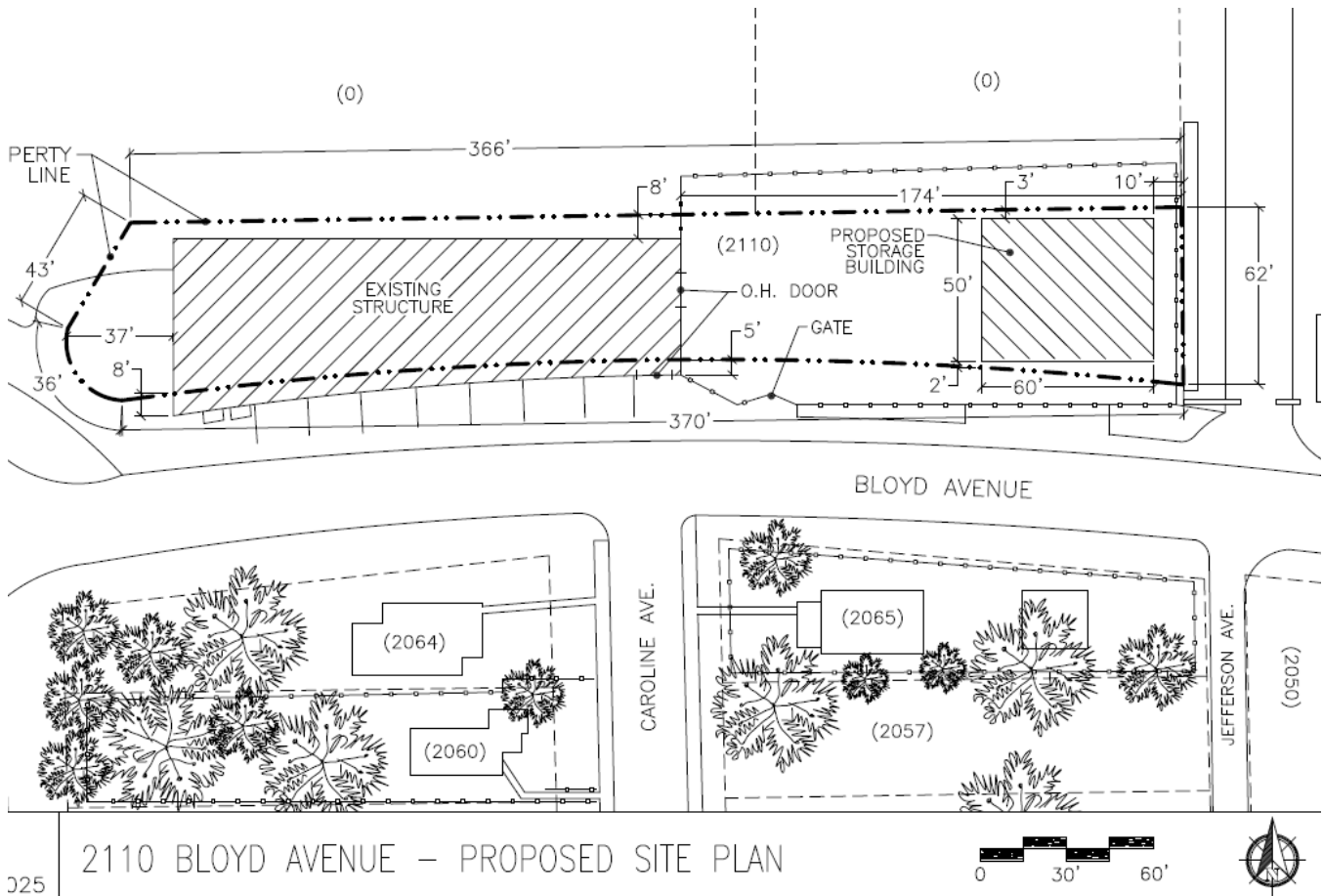
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EXHIBITS

Location Map



Site Plan



2110 BLOYD AVENUE – PROPOSED SITE PLAN

Findings of Fact

Petition Number _____

**METROPOLITAN DEVELOPMENT COMMISSION
HEARING EXAMINER
METROPOLITAN BOARD OF ZONING APPEALS, Division _____
OF MARION COUNTY, INDIANA**

PETITION FOR VARIANCE OF DEVELOPMENT STANDARDS

FINDINGS OF FACT

1. The grant will not be injurious to the public health, safety, morals, and general welfare of the community because:

The proposed industrial structure contains a similar front transitional yard, front-yard setback, and side-yard setback as the existing industrial structure on the subject site along with other industrial structures in this section of the Martindale-Brightwood neighborhood. This newly proposed structure will allow for the repair of the existing business' vehicles along with providing additional indoor storage space. The variance for the clear sight triangle involves an unused street that dead ends at the northeast corner of the subject site. Given that, the proposed industrial structure will not block any sight lines from and to vehicles entering and existing the site. There are no crematorium services for the public that take place on the site, therefore the existing parking spaces are more than capable of handling the necessary parking needs of the site.

2. The use or value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner because:

The use of the property is consistent with the Marion County Land Use Plan Pattern Book and the value of the nearby residences won't affected in an adverse manner given that this is an existing industrial use (permitted by a previously approved variance of use and special exception).

3. The strict application of the terms of the zoning ordinance will result in practical difficulties in the use of the property because:

This variance request for the reduction of the front-yard transitional yard setback, front-yard setback, side-yard setback, required parking, and to allow for a building to be constructed partially within the site's clear sight triangle, is necessary given the shallow depth of the subject site. It is practically difficult to construct a structure of any size given the existing lot's dimensions.

Photographs



Subject site, existing building, looking east.



Subject site proposed building location, looking north.



Jefferson Avenue at the east of proposed building location Proposed canopy location with 17-foot side setback, looking north east.



Adjacent warehouse to the east of Jefferson Avenue, looking northeast.