

Avon Town Council

Ordinance 2026-06

APPROVING THE REQUEST OF CHURCHYARD, LLC. AND THE REZONING OF A CERTAIN PARCEL OF LAND FROM THE GENERAL INDUSTRIAL DISTRICT (I-2), TO THE GENERAL COMMERCIAL DISTRICT (C-2)

WHEREAS, Churchyard, Inc. (“Petitioner”) filed a proposal to rezone from the General Industrial District (I-2) to the General Commercial District (C-2), a parcel of land located at 8403 East US Highway 36, which has been annexed into the Town of Avon, containing approximately 2.08 acres (a legal description for the parcel is attached as Exhibit A); and

WHEREAS, in its petition for rezone, the Petitioner stated the purpose of the rezoning is to legally establish existing commercial businesses on the property; and

WHEREAS, the Town of Avon Plan Commission published notice of a public hearing on February 12, 2026, and conducted a public hearing on the proposal on February 23, 2026, in its case ZA 25-03; and

WHEREAS, the Plan Commission considered the Petitioner’s request, comments by the public, the case report, and comments by the Planning staff, and forwarded a favorable recommendation by a vote of five (5) in favor of and zero (0) for the rezoning on February 23, 2026; and

WHEREAS, the Plan Commission properly certified its recommendation to the Avon Town Council on March 2, 2026; and

WHEREAS, the Avon Town Council, having considered the certification of the Plan Commission, presentations of the Planning staff and the Petitioner and comments from the public, and having paid reasonable regard to this evidence and

1. the Town of Avon Comprehensive Plan;
2. the current conditions and the character of current structures and uses in each zoning district;
3. the most desirable use for which the land in each district is adapted;
4. the conservation of property values throughout the Town of Avon; and
5. responsible development and growth

now finds that the requested proposal to rezone the subject land should be granted because (1) the approval will not be injurious to the public health, safety, morals and general welfare of the community, (2) the use and character of land and structures in the area adjacent to the subject site and in the area generally will not be affected in a substantially adverse manner; (3) the proposed rezone will not decrease the value of property in the area of the subject property; (4) the proposed rezone is generally consistent with the goals of the Comprehensive Plan; and (5) the approval of the requested rezone is consistent with the interests of responsible development and growth in that the development will not unduly burden local schools, local or state roads and highways, or unduly burden utility providers; and

IT IS, THEREFORE, ORDAINED that the subject real estate is hereby rezoned from the General Industrial District (I-2) to the General Commercial District (C-2), and the Planning Director is directed to change the Zoning Maps,

which are incorporated into the Zoning Ordinance, in order to reflect this rezone and to maintain a record of the conditions contained in this approval.

IT IS FURTHER ORDAINED that this ordinance is effective upon adoption.

Adopted: March 12, 2026.

Avon Town Council:

Dawn Lowden, President

Jayson Puckett, Vice-President

William Holland

Robert, Pope

Greg Zusan

Attest: _____
Julie Loker, Clerk-Treasurer

I AFFIRM, UNDER THE PENALTIES FOR PERJURY, THAT I HAVE TAKEN REASONABLE CARE TO REDACT EACH SOCIAL SECURITY NUMBER IN THIS DOCUMENT, UNLESS REQUIRED BY LAW.

Linda Ahlbrand

This instrument prepared by Linda Ahlbrand, Planning Director of the Town of Avon, 6570 East U. S. Highway 36, Avon, Indiana, 46123.

Exhibit A

Legal Description for proposed rezoning petition ZA 25-03 –

8403 East U.S. Highway 36:

Lot Numbered Two (2) in The Gatherings Minor Plat 06-02, an addition to the Town of Avon, Hendricks County, Indiana, as per plat thereof recorded April 4, 2007, in Plat Cabinet 6, Slide 192, Page 1, in the Office of the Recorder of Hendricks County, Indiana.