

STAFF REPORT

MADISON COUNTY BOARD OF ZONING APPEALS October 27, 2026

Petition Number: 2026-SU-010
Location: 184 E 600 S, Anderson, IN
Petitioner: Andrew and Meggan Simpson
Owner: Same as petitioner
Zoning District: Conservation Residential
Request: Special use to allow for livestock/animal cremation

Special Uses may be approved by the BZA only upon determination that the petition meets all the legal required criteria:

- The approval will not be injurious to the public health, safety, morals, and general welfare of the community.
- The requirements and development standards for the requested special use as prescribed by the Ordinance will be met.
- Granting of the Special Use will not subvert the general purposes served by the Ordinance and will not permanently injure other property or uses in the same district and vicinity.
- The proposed use will be consistent with the character of the zoning district in which it is located and the Madison County Comprehensive Plan.

The Board may examine the following items as they relate to the proposed use:

1. Topography and other natural site features;
2. Zoning of the site and surrounding properties;
3. Driveway locations, street access, and vehicular and pedestrian traffic;
4. Parking amount, location, and design;
5. Landscaping, screening, and buffering;
6. Open space and other site amenities;
7. Noise production and hours of operation;
8. Design, placement, architecture, and building materials of the structure;
9. Placement, design, intensity, height, and shielding of lighting;
10. Traffic generation;
11. General site layout as it relates to its surroundings.

SITE INFORMATION

1. The area is zoned CR. Acreage of parcel with incinerator is approximately six acres. They also own adjoining lots which brings their total acreage to about 10.7 acres.
2. The parcel is not located within a floodplain and there are no regulated drains.
3. Land use is generally agriculture.
4. The site fronts on CR 600 S, a local road in the county thoroughfare plan.

STATEMENT OF INTENT

September 21, 2026

Madison County Planning Commission
16 E 9th St. Box 13
Anderson, IN 46016

RE: Special Use Exception

Dear Planning Commission:

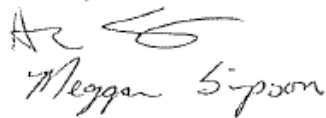
The Simpson Family would like to request a special use exception to expand our existing animal boarding business, Simpson Acres LLC, dba Ally's Dog Place. We will continue to do animal boarding but would like to expand our services to include animal disposal by incineration. Indiana code 15-17-11-20 allows for the disposal of dead animals through incineration. For small animal incineration, there are no state regulations that we must adhere to, however there are state licenses required for large animal incineration and transport. There are no regulations for ash disposal, however ashes will not be disposed of to create a nuisance on any surrounding properties. As we move through this process, we will be sure to continue to be in contact with the State Board of Animal Health and obtain the appropriate licenses.

The incinerator is located on the far east side of our property away from any existing residences and roadways. Located behind a barn, over 250 feet from the roadway, nothing is visible to the motoring public. Across the road is a cemetery, dumpster rental company, and a landscaping company. Another cemetery is within view of our property, and a taxidermist is down the street. We are on a rural roadway with very few neighboring homes. There will be no effect to traffic as we do not intend to allow carcass drop off. A state license will be obtained for us to legally and safely transport an animal carcass. The incinerator itself will emit a negligible amount of noise and odor. A second burner has been added to minimize odor even further. The units have all been tested to meet or exceed any EPA standards. It's manufactured by R & K Incinerator, Inc. a company in South Decatur, IN. These same burners are used by livestock farmers throughout the country and by local INDOT districts and sub-districts.

There are very few businesses in Madison County that offer pet cremation, and we are not aware of any large animal cremation businesses in Madison or surrounding counties. The local animal cremation business, Loyal and True, cannot incinerate animals over 450 pounds. Many funeral homes that do animals are limited to 250 pounds. DH Farms, located in a residential zoned area, in Marion Indiana is limited to 150 pounds. We intend to provide service for larger 500+ pound animals. We do not intend to compete with the corporate pet cremation companies, rather provide a needed service to local 4H families and large animal/equestrian veterinarians.

Ally's Dog Place looks forward to working with local veterinarians and current pet owning clients to help owners deal with the loss of a pet with compassion and respect. Thank you for considering this special use exception to expand the services of our family-owned pet-boarding business.

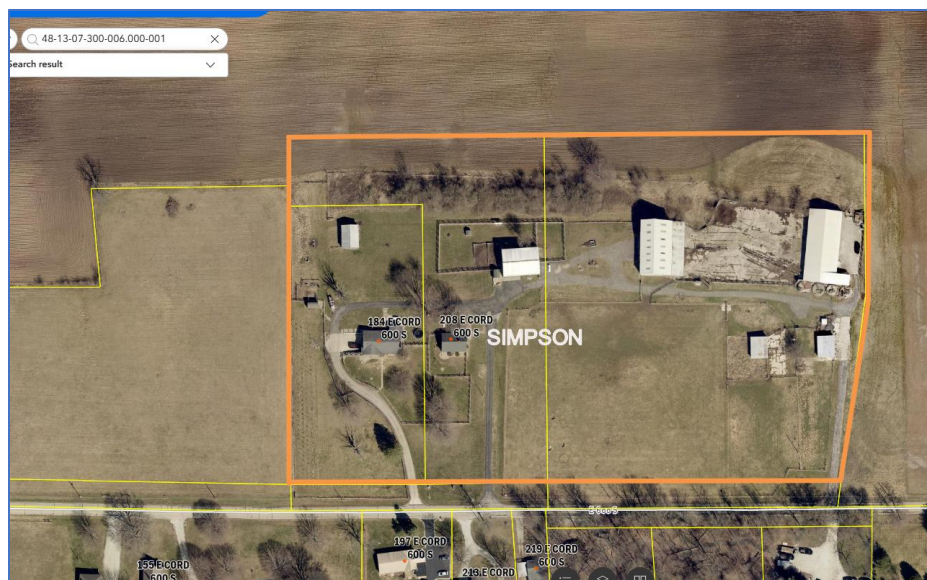
Sincerely,



Andrew and Meggan Simpson



Vicinity



Property Overview



Petitioner Site Plan

ZONING REQUIREMENTS

CR - Conservation Residential District

3.5 "CR" District Intent, Permitted Uses, and Special Uses

District Intent	Permitted Uses	Special Uses
The "CR" District is intended to provide for the development of clusters of medium sized homes on large lots in otherwise agricultural areas. The intent of the district is to allow for the construction of rural residences and small recreational farms while maintain the viability of the surrounding large-scale farming operations and preserving land for agriculture, open space, and future, higher density development. Madison County's Plan Commission and Board of Zoning Appeals should strive to establish this district as a transitional area between higher density residential and commercial development and agricultural districts.	Agricultural Uses • grazing and pasture land • livestock • agricultural crop production • retail sales (of crops produced on-site) • agriculture crop processing (of materials produced on-site) • agriculture crop storage (of materials produced on-site) • agricultural products (seeds, fertilizer, etc.) sales, distribution, and storage • farm implements storage (operable implements used in the farming operation - not for sale) Residential Uses • dwelling, single-family • manufactured home (type I) • manufactured home (type II) • residential facility for developmentally disabled/mentally ill • child day-care home • home occupation (type I) Institutional/Public Uses • nature preserve • public school (P-12) • church or other place of worship • passive recreation trail Communication/Utilities • utility substation • public wellfield/pumphouse • water tower	Agricultural Uses • animal boarding • livestock auction/sale facility • commercial greenhouse • farmer's market (for products grown off-site) • farm implement sales and service • seasonal farm worker housing Residential Uses • dwelling, single-family • assisted living/retirement facility • home occupation (type II) • bed and breakfast facility • boarding house Institutional/Public Uses • park and recreation uses • police, fire, or rescue station • government office/facility Communication/Utilities • sewage treatment plant • wireless telecommunications facility/tower Business Uses • kennel • recreation uses (large scale) • expansion of existing, legal, nonconforming uses Industrial Uses • mineral extraction and processing in urban areas and floodplains as shown on the flood insurance rate maps • expansion of existing, legal, nonconforming uses

STAFF FINDINGS

Staff has contacted the county Health Department, vets (Dr. David Grasso, Albany, Indiana); dog-handlers, and the Indiana Board of Animal Health and found no issues with this proposed operation. As noted in their letter, the Simpsons have a special use and have been operating an animal boarding facility. There have been no complaints to this office. They plan to use the incinerator for large animals only. They have conducted two incinerations in the past of their own personal animals. There were no complaints of those instances. The only local operation – Loyal & True Pet Cremation Services (200 W 53rd Street, Anderson) has a special use from the city of Anderson to operate a pet crematory. According to the city, there have been no problems or issues with that operation.

As stated in their cover letter, the Simpson's will be required to obtain permits from the Indiana Board of Animal Health for large animal incineration and transport. Their incinerator is referenced in the letter of intent and according to the petitioner it is the same used by other farmers and local INDOT districts and sub-districts. As mentioned, there is a pet crematory at Loose Funeral Home and another at South Anderson Veterinary Clinic as referenced in the letter from the City of Anderson (see attached).



RECOMMENDATION

Staff recommends approval of the special use with following condition:

- Copies of all required permits and licenses associated with any part of the incinerator operations should be provided to the planning department.

FINDINGS of FACT for SPECIAL USE

1. ***Would the approval be injurious to the public health, safety, morals, and general welfare of the community?*** No. The operation is such that there should be no negative impact on the general welfare of the community.
2. ***Will the requirements and development standards set forth in the district for such exception be met?*** Yes. as presented they will meet with the standards.
3. ***Will the proposed use subvert and permanently injure other property or uses in the same district and vicinity?*** No. As presented, no injury will occur to surrounding properties in the same district and vicinity. They have used this procedure on personal animals and there have been no complaints to this office.
4. ***Will the proposed use be consistent with the character of the zoning district and the Comprehensive (Comp) Plan?*** Yes. As presented, the conditions and the nature of the proposed project are consistent with the zoning code and comprehensive plan.

Site Photos



View from site looking north



View from site looking east



View from site looking south



View from site looking west