

**BOARD OF ZONING APPEALS DIVISION II**

**May 19, 2026**

**Case Number:** 2026-DV2-013

**Property Address:** 2001 North Olney Street (approximate address)

**Location:** Center Township, Council District #13

**Petitioner:** DMC Real Estate Holding, LLC, by Mike Chisholm

**Current Zoning:** I-3

**Request:** Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to allow for the outdoor storage of materials within the transitional yard (not permitted) and to allow for a fence with barbed wire (not permitted).

**Current Land Use:** Industrial

**Staff Recommendations:** Staff recommends **approval** of the outdoor storage variance and offers **no recommendation** for the barbed wire fence, subject to commitments.

**Staff Reviewer:** Josh Levesque, Senior Planner

**PETITION HISTORY**

N/A

**STAFF RECOMMENDATION**

Staff recommends **approval** of the outdoor storage variance and offers **no recommendation** for the barbed wire fence variance, subject to commitments.

**PETITION OVERVIEW**

- 2001 North Olney is an industrial site running along Olney Street starting from just north of 20<sup>th</sup> Street to the entrance of Brookside Park. The property is home to a lumber mill and is bordered by another industrial use to the east and north and a mix of residential and other uses across Olney to the east.
- The petitioner is requesting two (2) variances. The first variance will allow them to store materials within their front transitional yard. The second variance would permit the installation of barbed wire along the top of a 6-foot-tall chain link fence running along Olney Street and the southern property line adjacent to Brookside Park.
- In the Compact Context Area, the Ordinance requires a 40-foot transitional yard that is intended to be kept clear to buffer higher intensity districts from dwelling districts. In other words, starting at the front lot line and going 40 feet deep, the area must be kept clear of structures and items related to the operations on-site. Google Street View images from 2022 show materials being

stored right up to the fence line and well within the transitional yard. Recent photos from a site visit show this continues to be the case.

- As part of the Pogue’s Run Trail project, the City of Indianapolis acquired additional right-of-way where the fence previously stood. The petitioner states the fence had to be moved in roughly nine (9) feet. This limited the available area for storage and limited maneuverability in the parking lot. Storing items closer to the building would cause issues with trucks and forklifts maneuvering between the various bay doors. This creates a practical difficulty for the petitioner. As the petitioner has committed to beautifying this stretch of fence in coordination with the Indy Arts Council and the community, staff recommends approval of this first variance. Staff will note that all other development standards must be met, notably that stored materials cannot exceed the height of the fence.
- The second variance request is to allow barbed wire along the top of the chain link fence. The use of barbed wire has long been strictly regulated in the Ordinance. Currently, barbed wire is only permitted:
  - “When used to enclose livestock on a site where the primary property use is agricultural uses, buildings or structures; or
  - When used for public safety or security purposes for a public facility or correctional or penal institution.”
- Staff has found no record of a variance that would have previously permitted the use of a barbed wire fence at this site. By all appearances, the previous barbed wire fence was not compliant with the Ordinance before being removed to make way for the trail. However, staff will note that the fence has long existed in this location and is consistent with other industrial fencing in the area. With commitments to also turn the barbed wire inwards and to use flat barbed wire as opposed to coiled (concertina) wire, along with the commitment to beautify the fence, staff will note limited a lessened impact on the viewshed of the surrounding community and trail users. Staff has heard of no remonstrance in this case and the councilor for this district has offered no objection. Without a site-specific practical difficulty, staff has no recommendation on this matter.
- Staff will note that the commitment will require the petitioner to seek Administrative Approval for the fence screen.

**GENERAL INFORMATION**

<b>Existing Zoning</b>	I-3	
<b>Existing Land Use</b>	Industrial	
<b>Comprehensive Plan</b>	Light Industrial	
<b>Surrounding Context</b>	<b>Zoning</b>	<b>Surrounding Context</b>
North:	C-S	North: Industrial
South:	PK-1	South: Park
East:	C-S	East: Industrial
West:	D-5, MU-1, C-1	West: Residential / Religious Use
<b>Thoroughfare Plan</b>		
Olney Street	Local Street	50-foot existing right-of-way and 58-foot proposed right-of-way

20 <sup>th</sup> Street	Local Street	50-foot existing right-of-way and 48-foot proposed right-of-way
Brookside Parkway North Drive	Local Street	75-foot existing right-of-way and 48-foot proposed right-of-way
<b>Context Area</b>	Compact	
<b>Floodway / Floodway Fringe</b>	No	
<b>Overlay</b>	No	
<b>Wellfield Protection Area</b>	No	
<b>Site Plan</b>	01/30/2026	
<b>Site Plan (Amended)</b>	N/A	
<b>Elevations</b>	N/A	
<b>Elevations (Amended)</b>	N/A	
<b>Landscape Plan</b>	N/A	
<b>Findings of Fact</b>	1/30/2026	
<b>Findings of Fact (Amended)</b>	N/A	

**COMPREHENSIVE PLAN ANALYSIS**

**Comprehensive Plan**

- Marion County Land Use Plan Pattern Book

**Pattern Book / Land Use Plan**

- “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

### ZONING HISTORY – SITE

N/A

### ZONING HISTORY – VICINITY

**94-Z-147; 3721 East 21<sup>st</sup> Street (northeast of site)**, Rezoning of 1.75 acres from I-3\_U to C-5 to provide for automobile sales, service, and repair, **withdrawn**.

**2002-ZON-166; 3500 East 20<sup>th</sup> Street (east and north of site)**, Rezoning of 30 acres from I-3-U to C-S to provide for commercial and industrial uses, including uses within the C-1, C-2, C-3, C-4, I-1-U, I-2-U, I-3-U, and I-4-U districts, **approved**.

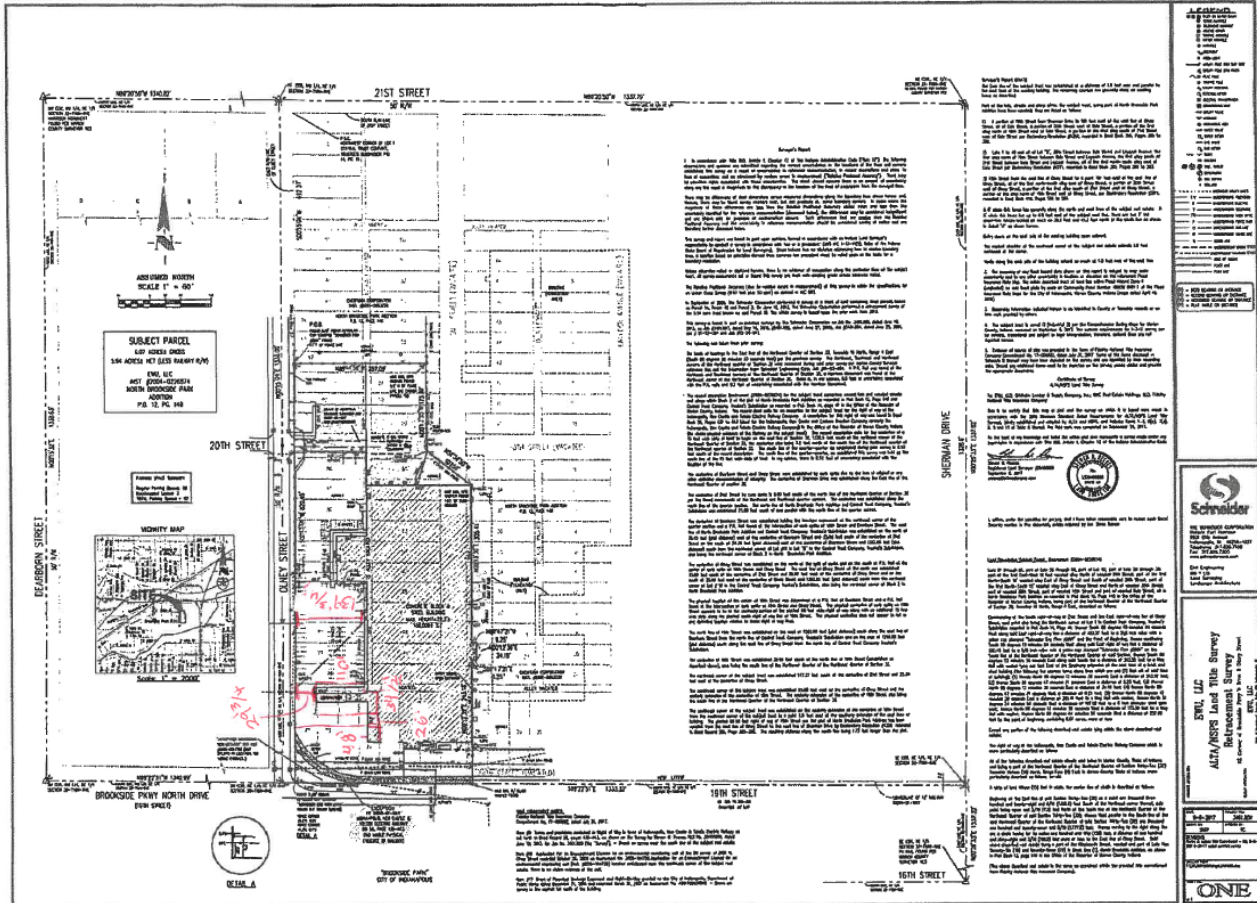
**2015-ZON-025; 2044 Olney Street (northwest of site)**, Rezoning of 0.84-acre from the C-2 district to the SU-1 classification to provide for a church and fellowship hall, with reduced setbacks, including a zero-foot setback along Olney Street, **approved**.

**2025-ZON-023; 3418 East 20<sup>th</sup> Street (west of site)**, Rezoning of .12-acre from the SU-1 district to the C-1 district to provide for an office and a child daycare facility, **approved**.

**EXHIBITS**  
**2026DV2013; Aerial Map**



**2026DV2013; Site Plan**



Survey from 2017 unchanged except for an added driveway which is 26' by 110' and loading dock 34.5' by 110'



**2026DV2013; Findings of Fact**

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

Granting the requested variances will not be injurious to the public health, safety, morals, or general welfare of the community because the property has a long standing industrial use, including warehousing, distribution, and light manufacturing, without adverse impacts. Outdoor material storage will be managed in an organized and safe manner, and the existing barbed wire fencing enhances security, from unauthorized access. These uses are consistent with neighboring industrial properties and will not introduce new hazards or disturbances, hereby protecting the community's health, safety, and general welfare.

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 area adjacent to the property will not be affected in a substantially adverse manner because the surrounding properties are industrial in nature and already utilize outdoor storage and barbed-wire fencing for security. Neighboring facilities, maintain similar practices, establishing a consistent industrial character. The proposed material storage will be safely and orderly managed, and the existing barbed-wire fencing will continue to provide necessary security without creating visual or safety impacts, ensuring that adjacent properties are not negatively impacted.

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

The strict application of the terms of the zoning ordinance will result in practical difficulties in the use of the property because it would prevent necessary outdoor storage of materials and the retention of existing security fencing essential to the safe and efficient operation of the industrial facility.

**2026DV2013; Photographs**



Photo 1: Google Street View image from 2022 showing material stored along fence and in transitional yard

**2026DV2013; Photographs (continued)**



Photo 1: From subject site parking lot looking west towards fence and neighboring residential properties. Notice gravel in front of fence where the trail is planned.

**2026DV2013; Photographs (continued)**



Photo 2: Close up of fence showing where barbed wire will be installed

**2026DV2013; Photographs (continued)**



Photo 3: View of property including some of the materials currently stored and trucks used on site.

**2026DV2013; Photographs (continued)**



Photo 4: Looking north on Olney from subject parcel driveway

**2026DV2013; Photographs (continued)**



Photo 5: Showing additional material stored along fence line. Materials in far back will need to be stepped down remain below fence height.