



PLANNING AND ZONING Cerro Gordo County Courthouse

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SPECIAL USE PERMIT STAFF REPORT Board of Adjustment July 28, 2026

Case No.: 26-04

Hearing Date: July 28, 2026

Request: A Special Use Permit to operate a personal and commercial greenhouse on the property.

Applicants

Abby Pope
21194 Vine Ave
Mason City, IA 50401

Owners

Kevin Pope & Adam Pope
16825 300th St
Mason City, IA 50401

Property Address: 16825 300th St, Mason City, IA 50401

Brief Legal Description: Property located in the NE¼ of Section 27, Lime Creek Township

Zoning: A-1 Agricultural District

Special Use Requested: 20.2(Z) Nurseries & Greenhouses

Special Use Description

The applicant is requesting a Special Use Permit to allow the construction and operation of one 30-foot by 72-foot greenhouse on the property. The greenhouse will be used for the cultivation and seasonal sale of flowers, vegetable plants, seeds, and similar horticultural products.

FINDINGS OF FACT

1. Kevin Pope and Adam Pope are the owners of the subject property located in Section 27, Lime Creek Township.
2. Abby Pope is the applicant.
3. The subject property is zoned A-1 Agricultural.
4. The applicant is requesting a Special Use Permit to operate a seasonal commercial greenhouse generally from mid-April through late May or early June.
5. Nurseries and greenhouses are special permitted uses in the A-1 District, subject to the requirements of the Zoning Ordinance and any conditions imposed by the Board of Adjustment.
6. The application was filed on June 1, 2026.
7. The proposed greenhouse will measure approximately 30 feet by 72 feet, contain approximately 2,160 square feet, and be approximately 13 feet in height.

8. The proposed greenhouse will comply with the identified front, side, and rear yard requirements of the A-1 District.
9. The greenhouse will not contain a heating plant. Therefore, the 200-foot separation requirement applicable to a greenhouse heating plant does not apply to the proposal as submitted.
10. Customer access is proposed from County Road B20, with customer parking and vehicle circulation provided on the subject property.

BACKGROUND INFORMATION

Purpose of Special Use Request

Abby Pope proposes to operate a seasonal commercial greenhouse beginning in approximately mid-April and closing in late May or early June. The greenhouse will be constructed with polycarbonate sheets, plastic, metal tubing, and lumber. The applicant proposes to sell flowers, vegetable plants, seeds, and similar horticultural products.

Proposed hours open to the public are Wednesday through Friday from 4:00 p.m. to 7:00 p.m. and Saturday and Sunday from 9:00 a.m. to 4:00 p.m. The applicant anticipates approximately 10 customers during weekday operating periods and approximately 20 to 25 customers on weekend operating days. No employees are proposed as part of the operation.

Existing Land Use and Zoning Classification of Property

The subject property is zoned A-1 Agricultural and contains approximately 10 gross acres. An existing farm shop is located on the property. The southern portion of the property will remain available for agricultural production.

Land Use and Zoning Classification of Surrounding Property

All surrounding properties are zoned A-1 Agricultural. The parcel to the east and south is owned by a member of the Pope family and is used for agricultural purposes. Parcels to the north are also in agricultural production. The closest off-site residence is located west of the subject property at 20924 Poplar Avenue. Existing trees along the north and west portions of the property provide partial screening from nearby roadways and property.

GENERAL FINDINGS

Harmony and Accord with General Principles and Proposals of the Zoning Ordinance

The intent of the Zoning Ordinance is to provide for the public health, safety, comfort, and general welfare; conserve property values and encourage the most appropriate use of land; provide for the orderly planned use of land resources; and facilitate adequate and economical provisions for public improvements.

The parcel contains tree buffering along the north and west sides of the property which allows screening from the highways. The south half of the property will continue to be farmed.

The proposed greenhouse supports agricultural production and limits on-site sales, which are intended to be accommodated within the agricultural zoning district. The request is in harmony with the objectives of the Zoning Ordinance by promoting productive agricultural land use while allowing the Board of Adjustment to ensure that any potential impacts to surrounding properties are appropriately addressed through the Special Use Permit process.

The 30'x72' greenhouse will not impact any farmland around it and the proposed driveway will be on the Pope's property and the surrounding property owned by family.

Compatibility of Use with the Appearance and Essential Character of Area

The proposed greenhouse is compatible with the appearance and essential character of the surrounding area. The greenhouse will be used for the cultivation and sale of flowers, vegetables, and seeds, which is consistent with the agricultural nature. The proposed structure is similar in appearance to other agricultural accessory structures commonly found in rural areas and is not expected to significantly alter the character of the surroundings.

Greenhouses and similar agricultural structures are commonly associated with rural properties. The surrounding land is zoned A-1 and is predominantly used for agricultural production. The greenhouse will be approximately 13 feet high, will comply with applicable yard requirements, and will be partially screened by existing vegetation along the north and west portions of the property.

Impact on Existing and Futures Uses, Vicinity, and Community as a Whole

The proposed operation is expected to function as a small-scale, seasonal agricultural business with limited customer traffic. At the scale represented by the applicant, the use is not expected to create excessive traffic, noise, dust, smoke, glare, odors, or other impacts that would materially interfere with surrounding agricultural or residential uses.

Potential impacts associated with parking, lighting, signage, drainage, deliveries, refuse, and outdoor sales can be controlled through conditions of approval. Future expansion involving additional greenhouses, substantially increased traffic, year-round sales, events, food service, outdoor entertainment, or unrelated retail activity could change the character and intensity of the use and should require additional zoning review.

Adequacy of Public Services

(i.e., highways, streets, police, fire protection, drainage structure, refuse disposal, water and sewage facilities, or schools)

County Road B20 and Poplar Avenue are paved roadways. Visitors are proposed to enter and exit from a driveway connecting to County Road B20. Available traffic-count information indicates approximately 470 vehicles per day on County Road B20 and approximately 150

vehicles per day on Poplar Avenue. The proposed limited operating season and hours are expected to result in only a modest increase in traffic.

All customer and operator parking should be provided on the subject property. The parking and circulation area should be sufficient to prevent parking on County Road B20 or Poplar Avenue and to prevent vehicles from backing onto a public roadway. The driveway location, width, drainage, and sight distance should comply with any applicable County Engineer requirements.

Law enforcement protection is provided by the Cerro Gordo County Sheriff's Department. Fire protection, EMS, and ambulance are provided by Mason City Fire Department. There should not be an increase in demand for the services. The applicant should also provide adequate water, wastewater or restroom arrangements, refuse management, drainage, and emergency access appropriate for the approved use.

Public Cost for Additional Public Facilities and Services

No extension of public water, sanitary sewer, roadway facilities, or other public infrastructure has been identified as necessary for the proposed use. Any driveway, parking, drainage, utility, waste-disposal, fire-safety, or site improvements needed to serve the greenhouse operation should be provided and maintained at the expense of the property owners or operator. The proposed use is not expected to impose an unreasonable cost on the County or other public entities.

Potential Detriments to Persons, Property, or General Welfare

(i.e., excessive traffic, noise, smoke, glare, or odors)

The proposed use is not expected to generate significant noise, smoke, glare, odors, dust, or traffic. The absence of a heating plant eliminates the principal impact specifically addressed by Article 20.2(Z). The limited season, hours, and anticipated customer volume further reduce the potential for adverse effects. Reasonable conditions addressing traffic, parking, lighting, signage, drainage, refuse, and expansion will protect neighboring property and the general welfare.

Compatibility and Consistency with the Intent and Purpose of the Zoning Ordinance

The intent of the A-1 Agricultural District is to accommodate agricultural uses and permit the continued use of land for agricultural purposes. Nurseries and greenhouses are permitted as special uses in the district. The proposed greenhouse is agriculturally related and will not materially interfere with continued agricultural use of the remaining property. The limited retail component is incidental to the cultivation and sale of greenhouse and nursery products and is compatible with the use when maintained at the scale represented in the application.

Compatibility with County Comprehensive Plan

Staff has identified no policy or future land-use designation in the County Comprehensive Plan that conflicts with the proposed small-scale, agriculturally related use. The proposal maintains the predominantly agricultural character of the property and surrounding area and allows potential impacts to be addressed through performance-based conditions.

COMPLIANCE WITH ADDITIONAL ARTICLE 20 REQUIREMENTS

Staff comments are in bold below. Additional requirements for the special use requested are as follows:

Article 20.2(Z) - Nurseries and Greenhouses: Nurseries and greenhouses are allowed as special uses in the A-1 and A-2 Districts, provided that any heating plant is located at least 200 feet from any dwelling and any adjoining lot line.

The proposed greenhouse does not include a heating plant. Therefore, the 200-foot separation requirement does not apply to the proposal as submitted. Installation of a heating plant in the future must comply with Article 20.2(Z) and all other applicable requirements.

The proposed greenhouse will exceed the 50-foot front-yard setback and the 25-foot east side-yard setback identified for the A-1 District. The proposed parking area is located north of the greenhouse and will be partially screened from County Road B20 by existing vegetation or additional screening shown on the approved site plan.

ZONING DISTRICT REQUIREMENTS

Requirement	Ordinance Standard	Proposal / Staff Finding
Minimum parcel size A-1 District	10 acres	The existing parcel contains approximately 10 acres.
Maximum building height	2 1/2 stories or 35 feet	The proposed greenhouse is approximately 13 feet high.
Front yard	50 feet	The proposal will meet or exceed the required front-yard setback.
Side yards	25 feet each	The proposal will meet or exceed the required side-yard setbacks.
Rear yard	30 feet	The proposal will meet or exceed the required rear-yard setback.

STATUTORY REQUIREMENTS

Additional requirements under Iowa Code or local rules that pertain to the Special Use applied for:

- CG Public Health – Well Permit, if desired in the future
- CG Public Health – Septic Permit, if desired in the future
- CG Public Health – Food Service License, if desired in the future

STAFF ANALYSIS AND RECOMMENDED ACTION

RECOMMENDED CONDITIONS TO BE MET IF POSITIVE VOTE BY BOARD OF ADJUSTMENT

The proposed 30-foot by 72-foot greenhouse is an agricultural or horticultural use specifically contemplated as a special use in the A-1 Agricultural District. The proposal is limited in size, duration, operating hours, and anticipated customer traffic. It is surrounded by agricultural zoning and agricultural uses, complies with the identified dimensional requirements, and does not include a heating plant.

Based on the application, site characteristics, surrounding land uses, anticipated traffic, and ability to control potential impacts through conditions, staff finds that the proposed special use is compatible with the A-1 District and is not expected to adversely affect neighboring property or the public health, safety, and general welfare.

Staff recommends approval of the Special Use Permit, subject to the following conditions:

1. The special use shall be established and operated in substantial conformity with the application, representations made to the Board of Adjustment, and the site plan approved by the Board.
2. The approval is limited to one greenhouse measuring approximately 30 feet by 72 feet and approximately 13 feet in height. Any additional greenhouse, material enlargement, relocation, or substantial alteration of the approved structure or use requires prior zoning approval and may require an amendment to the Special Use Permit.
3. The permitted use is limited to the cultivation and seasonal sale of flowers, vegetable plants, seeds, and similar horticultural products. General retail sales, entertainment activities, outdoor events, food service, or unrelated commercial activities are not authorized by this approval.
4. Retail operations shall be seasonal, generally occurring from mid-April through early June. Hours open to the public are limited to Wednesday through Friday from 4:00 p.m. to 7:00 p.m. and Saturday and Sunday from 9:00 a.m. to 4:00 p.m., unless modified by the Board of Adjustment.
5. No heating plant shall be installed or operated unless it complies with the 200-foot separation requirement in Article 20.2(Z) and receives all required zoning, building, fire, and other regulatory approvals. Installation of a heating plant that does not conform to the approved application may require an amendment to the Special Use Permit.
6. Plant material, soil, fertilizer containers, packaging, pallets, and other refuse shall be stored and disposed of in a manner that prevents blowing debris, odors, pests, or other nuisance conditions.
7. This Special Use Permit may be reviewed at any time in the future upon the request of the applicants or a majority of the Board of Adjustment members.
8. The provisions and/or regulations as stated shall be minimum requirements and wherever the requirements of any other lawfully adopted rules, regulations, or ordinances are at a variance, the most restrictive shall govern.
9. It is contemplated that from time to time during the operation of the greenhouse that conditions may arise which are not covered by the terms of this permit, and which cannot be anticipated. In the event such conditions do arise, the Board of Adjustment of Cerro Gordo County, Iowa, may impose additional regulations to meet any new

conditions. In addition, if said facility should, at any time, be operated in any manner which violates the rules and regulations of any federal or state regulatory agency, then the Board of Adjustment may impose such other conditions so as to ensure compliance with such rules and regulations.

10. This permit will be subject to revocation for operator's failure to comply with the provisions as herein set forth or such other provisions as may, from time to time, be imposed by the Board of Adjustment of Cerro Gordo County, Iowa, under the terms of this permit.
11. County representatives shall have the right to enter the premises at any time upon notification to the permit holder for inspection, or the purposes of enforcing the provisions of this Special Use Permit.
12. Any other necessary permits or licenses required by federal, state, and local agencies shall be obtained by the applicant and current copies placed on file with the county Planning and Zoning Office.
13. This Special Use Permit is granted to Abby Pope and its successors and assigns and is not transferable to any other party or parties.
14. The site plan and operator's statement are hereby adopted as presented and the applicant shall adhere to said site plan. The Board of Adjustment shall have the right to review any proposed change in or expansion of the special use.
15. All construction shall strictly comply with the site plan submitted with the application. A Zoning Permit Application shall be completed, and a Zoning Permit issued prior to any new construction on the site related to the special use.
16. Any proposed signage must comply with Article 19.6 of the Cerro Gordo County Zoning Ordinance. A sign permit application shall be completed, and a permit issued prior to the placement of any signage on the property.
17. Sufficient onsite parking shall be provided to accommodate all customers. Parking along B20 is prohibited.
18. Any required permits for the new driveway shall be obtained from the County Engineer's Office.
19. The Special Use permit shall be reviewed by the Board of Adjustment before August of 2027.
20. The applicant shall provide proof of insurance of adequate liability insurance in writing to the Zoning Administrator, under such further conditions and in such amounts as the Board of Adjustment or Zoning Administrator may direct, but in no event shall such proof be required more often than annually.
21. If the Cerro Gordo County Zoning Office receives written notice from the applicant that the operations established in this Special Use Permit cease to exist, the Special Use Permit will be declared null and void by administrative order.

BOARD DECISION

The Board of Adjustment may consider the following alternatives:

Alternatives

1. Grant the requested Special Use Permit Application subject to any condition as deemed necessary by the Board (The Board reserves the right to remove, amend, or add additional conditions from those recommended as deemed necessary).
2. Deny the requested Special Use Permit Application.

The following motions are provided for the Board's consideration:

*Provided motion of **approval**:*

To adopt the staff report as the Board's findings and to grant the application, subject to the conditions recommended by staff and as modified by the Board of Adjustment, for the placement of an agricultural neighborhood commercial business, and further, that the grant of the application be made effective immediately and on the condition that Abby Pope shall perform all operations under the application under the specific direction of the Cerro Gordo County Zoning Administrator, consistent with the proposed conditions and recommendations approved by the Board of Adjustment, until such time as a formal resolution is drafted and adopted by the Board of Adjustment, not to exceed 60 days.

*Provided motion of **denial**:*

To adopt the staff report as the Board's findings and to deny the application for the reasons stated in the staff report as well as for the following reasons: **[STATE ADDITIONAL REASONS FOR DENIAL, IF ANY]**. Said reasons for denial shall be stated in the official transcript and minutes of the Board of Adjustment and shall be made in writing to the applicant in letter form by the Board's secretary.

EXHIBITS

- Exhibit 1: Figures 1-3
- Exhibit 2: Special Use Permit Application
- Exhibit 3: Site Plan
- Exhibit 4: Operator Statement
- Exhibit 5: Parcel Highlight

Figure 1
View of property from B20



Figure 2
Looking South at proposed location of greenhouse on east side of driveway



Figure 3
Location of greenhouse on the east of existing driveway



SPECIAL USE PERMIT

APPLICATION

Date Filed 10-1-26

Date Set for Hearing _____

Case Number: 210-04

Applicant Name: Abby Pope Phone: (641) 512-9232 E-Mail: akelley@myomnitel
cor

Mailing Address: 21194 Vine Ave Mason City, IA 50401

Property Owner Name: Kevin/ and Adam Pope Phone: (641) 420-8213 E-Mail: kwpopefarms@
Abby gmail.a

Property Owner Address: 16825 300th St. Mason City IA 50401

Property Description (Not to be used on legal documents): Parcel # 03-27-260-015 Township Lime Creek

Property Address: 16825 300th St. Mason City, IA 50401 Zoning: A1

Brief Legal Description:

N660 ft. of W660 ft. of NENE 27-97-20 Parcel A

Special Use Description: Please provide a general description of the proposed special use.

A 30' x 72' greenhouse. We will sell flowers, vegetables and seeds.

***Attach all required items listed in the application checklist, including written operator's statements, site plan, filing fee, and all other materials required to be submitted with this application**

I am the ☒ Owner ☐ Contract Purchaser ☐ Other (Explain) _____

_____ of the property affected.

I, the applicant, being duly sworn, depose and say that I am the owner or that I am authorized and empowered to make the accompanying application; and that the information provided is true and correct, and actual construction, as applicable, and operation of the proposed special use will proceed in accordance with the purposes herein stated on the application and all submitted materials. I further agree to any conditions and/or requirements the Board of Adjustment may stipulate. The Planning & Zoning staff and Board of Adjustment members are also given permission to enter the above property in reviewing this application.

Applicant Signature

Abby Pope

Date

5-31-26



My name is Abby Pope and I am seeking approval for a special use permit to build a commercial greenhouse. This greenhouse will be approximately 30'x72'. The greenhouse will be constructed with polycarbonate sheets, plastic, metal tubing, and lumber. I will be growing and selling flowers, vegetable plants, and seeds. The growing season will begin in early March. We will open for the season in mid-April and will close in late May or early June. The hours of operation will be Wednesday-Friday 4-7, and Saturday and Sunday 9-4. On average I would expect approximately 10 customers during the weekdays and between 20-25 on the weekends. I will not have any employees.

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03-22-400-005

03-22-400-006

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CH B20 300TH ST

57

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41

41

660

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PAR A

03-27-200-015

03-27-200-003

POPLAR AVE

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1310.56

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03-27-200-004