



PLANNING AND ZONING Cerro Gordo County Courthouse

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SPECIAL USE PERMIT STAFF REPORT

SUMMARY OF REQUEST

Case No.: 25-01

Hearing Date: July 29, 2025

Staff Contact: Michelle Rush, Assistant Zoning Administrator

Applicant:

Owner:

Randy Boehmer
22606 Orchid Ave
Mason City, IA 50401

Same

Property Address: 22606 Orchid Ave, Mason City, IA 50401

Brief Legal Description: Property located in the NW¼ of Section 16, Lime Creek Township

Zoning: A-1 Agricultural District

Special Use Requested: 20.2(II) Agricultural and Neighborhood Commercial Business

Special Use Description

Randy Boehmer is requesting a Special Use Permit (SUP) proposing an agricultural and neighborhood commercial business on the property to operate limited seasonal events including haunted hayrides and Halloween themed attractions in the fall (typically weekends in October) and a Christmas light drive-thru display in the winter (typically from late November thru early January).

FINDINGS OF FACT

1. Randy Boehmer is the owner of the subject property located in Section 16, Lime Creek Township
2. The property is zoned A-1 Agricultural.
3. Mr. Boehmer is requesting a Special Use Permit to operate limited seasonal events including haunted hayrides and Halloween themed attractions in the fall (typically weekends in October) and a Christmas light drive-thru display in the winter (typically from late November thru early January).
4. An agricultural and neighborhood commercial business is a special permitted use in the A-1 District, subject to the requirements and conditions as granted by the Board of Adjustment.
5. The application was filed on May 27, 2025.
6. A significant portion of the property is located in the FEMA-designated 100-year floodplain.

BACKGROUND INFORMATION

Purpose of Special Use Request

Randy Boehmer – Festive Farmstead proposed to operate seasonal special events on the property such as haunted hayrides and Halloween themed activities in October and a Christmas light drive thru from late November to early January. The property includes existing trails, a field, and a large shed/shop space for guests to gather and ample parking for the events.

Existing Land Use and Zoning Classification of Property

The property is zoned A-1 Agricultural. There is an existing dwelling, carport, shed, detached garage and two steel utility buildings on the property.

Land Use and Zoning Classification of Surrounding Property

The land surrounding this property on the west side of Highway 65 is zoned A-1 Agricultural and is used for crop production. The parcels on the east side of Highway 65 are zoned R-1 Single Family Residential.

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, morals, 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.

There are a number of dwellings located across from this property on the east side of US Highway 65.

The parcel itself is surrounded by and contains a significant number of trees except along the east and south side of the field that is located in the southeast corner of the property. The field will continue to be farmed and a portion of the field towards the dwelling will be used for parking during the seasonal events.

The hayrides will be located on existing trails that are surrounded by trees. Outdoor lighting is seasonal and temporary and will be directed downward or inward to minimize light distraction. Music and sound effects will be localized to the property. The holiday light show music will be transmitted via a low power FM radio and visitors to the property can tune in from their vehicles. The FM signal meets FCC regulations and does not transmit beyond the property.

The 40'x42' utility building that will be used for gatherings is located behind the dwelling and is approximately 195' from the front lot line along US 65.

Generally, the biggest concern with the proposal could be increased traffic on US Highway 65 and the proposed parking area will be easily visible from US Highway 65. Requiring some sort of screening can be discussed at the public hearing.

Compatibility of Use with the Appearance and Essential Character of Area

As previously stated, the property contains farmland in the southeast corner of the property. The rest of the parcel is surrounded by trees. Spring Creek runs thru the middle of this property and a significant portion of the property is within the floodplain area. The proposed special use will take place entirely on this property and will be largely self-contained from all property lines except for the parking area located along US Highway 65.

Parking, lighting, noise, and event times can be discussed at the public hearing and addressed by conditions in the SUP for the residences located on the east side of US Highway 65 that may be impacted.

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

The use should have minimal impact on the area. The only impact will likely be increased traffic on US Hwy 65.

Adequacy of Public Services

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

US Highway 65 is a paved highway. The Iowa DOT was provided the opportunity for comments on this proposal. They did not have any safety concerns with this proposal and no permits will be required from the Iowa DOT. The DOT did note that any signage must be placed entirely on the applicant's property and cannot be located in the right-of-way. They also recommended that any staff directing traffic should wear reflective safety vests. The business will be operated by Mr. Boehmer and trained staff/volunteers.

To reduce traffic congestion and ensure no traffic will be backed up on US Highway 65, the applicants are proposing a one-way loop thru their property. Visitors will enter using the driveway located on the south end of the property and will exit via the driveway by the dwelling and building site. On-site signage and staff will direct traffic. Parking will be provided in a designated grass lot and can accommodate 102 cars with overflow space available if needed in the field. Parking along US Highway 65 will be strictly prohibited, and guests will not be allowed entry if parked along US Highway 65.

Law enforcement protection is provided by the Cerro Gordo County Sheriff's Department. Fire protection and EMS is provided by Manly Fire & EMS. Ambulance service is provided by Mason City. There should not be an increase in demand for the services.

There is a significant portion of floodplain on this property. The property does not lie within a drainage district.

The applicant is responsible for refuse disposal. Trash cans with lids will be available and waste will be removed after each event. The receptacles should be vermin and weatherproof and be dumped at frequent intervals to prevent the attraction of vermin and to eliminate overflow and subsequent blowing of trash onto the property or neighboring properties.

One self-contained flushable portable restroom will be provided during events. A second unit may be added depending on need. No permanent buildings will be used for public restrooms. The restroom will be cleaned as needed during events and will receive a full cleaning before each event. The restroom will be connected to the new septic system being installed this summer by Helps Septic. The restroom will be winterized and locked after the Halloween season ends in Late October and will not be used during freezing/winter conditions. CG Public Health stated that the septic system will need its effluent filter cleaned annually, and the tank should be pumped every 3-5 years. Water to the restroom will be supplied by the private well on the property. CG Public Health recommends an annual water test. A water test has not been done on the property since 2019 so a test should be conducted prior to this fall. Any necessary permits from the Health Department for well and septic should be a condition of the Special Use Permit if approved.

The applicant proposes to sell only pre-packaged items such as pop, water, chips, and candy bars during hayride weekends. No food will be prepared on-site. Any necessary permits from CG Public Health for food and beverage service should be a condition of the Special Use Permit if approved.

Public Cost for Additional Public Facilities and Services

There should be no cost to the public as a result of the proposed use.

Potential Detriments to Persons, Property, or General Welfare

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

Likely, the largest impact resulting from the proposed special use is the expected increase in traffic. However, US Highway 65 is a paved road, and the applicants plan for traffic flow and parking should mitigate the impact. Music and sound effects will be localized to the property. Outdoor music or sound effects will end no later than 11:30 p.m. on Friday and Saturday and no later than 10:00 p.m. on weekdays and Sundays. No smoke or odors is anticipated with the proposed use. Outdoor lighting is seasonal and temporary and will be directed downward or inward to minimize glare.

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 that are designed to permit the continued use of such land for agricultural purposes. Agricultural and neighborhood commercial businesses are allowed in the A-1 District, subject to a Special Use Permit being granted by the Board of Adjustment. No farmland will be taken out of production as a result of the special use

Compatibility with County Comprehensive Plan

The Comprehensive Plan encourages the use of performance standards for development where appropriate. The proposed special use has two main impacts, which are the visual impact and possible increased traffic on US Highway 65.

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

20.2 SPECIAL USES

- II. Agricultural and neighborhood commercial businesses, provided a buffer zone of at least fifty (50) feet is established between the commercial building's associated work area, and the property lines. **The existing 40'x42' utility building that will be used for guests to gather is approximately 195' from the front lot line and will exceed the 50' setback. The light display area also exceeds the 50' setback. The parking area along US Highway is not screened or buffered. The property is zoned A-1 Agricultural.**

ZONING DISTRICT REQUIREMENTS

Requirements of the zoning district for which the proposed special use is to be located are as follows:

The property is zoned A-1 Agricultural.

- Minimum parcel size is 10 acres. **The existing parcel is 26.36 acres in size. There is a reasonable expectation to be able to continue the use of the property for the purposes for which it was intended as zoned.**
- 7.5 Height Regulations. No building hereafter erected or structurally altered shall exceed two and one-half (2 1/2) stories or thirty-five (35) feet. **The existing buildings do not exceed 35' in height.**
- 7.6 Yard Requirements. Each lot shall have front, side and rear yards not less than the depths or widths following:
 - A. Front yard depth, fifty (50) feet.
 - B. Each side yard width, twenty-five (25) feet.
 - C. Rear yard depth, thirty (30) feet.

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

Note: In granting a Special Use Permit, the Board of Adjustment may attach conditions which it finds are necessary to carry out the purpose of the Zoning Ordinance, in conformance with what is provided in Article 20 of the Zoning Ordinance, and where reasonable and necessary may increase the required lot or yard, control the location and number of vehicular access points to the property, limit the number of signs, limit coverage or height of buildings because of obstruction to view and reduction of light and air to adjacent property, and require screening and landscaping to reduce noise and glare and maintain the property in character in keeping with the surrounding area. Special uses shall ordinarily comply with the standards of the district concerned for principal uses which are permitted therein, except as modified by the Board of Adjustment in granting a Special Use Permit.

1. 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.
2. 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.
3. It is contemplated that from time to time during the operation of the of the agricultural-neighborhood commercial business 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.
4. 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.
5. County representatives shall have the right to enter the premises at any time upon notification to the permit holder for the purposes of enforcing the provisions of this Special Use Permit.
6. 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.
7. This Special Use Permit is granted to Randy Boehmer and its successors and assigns and is not transferable to any other party or parties.
8. 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.
9. 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.
10. 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.

11. A Floodplain Development Permit or official determination shall be obtained from the Iowa DNR and Planning and Zoning Office prior to any construction or excavation within the FEMA-designated special flood hazard area/floodplain. All requirements of Article 21 of the Zoning Ordinance shall be met.
12. The applicant shall maintain all existing vegetation to screen the use as required by Article 20.2(II) of the Zoning Ordinance.
13. A 50' setback from all lot lines shall be maintained for all new buildings/additions related to the special use as required by Article 20.2(II) of the Zoning Ordinance.
14. The applicant shall adhere to the requirements of CG Public Health for well and wastewater facilities.
15. Any permits required by CG Public Health for food service or food processing shall be obtained.
16. Sufficient onsite parking shall be provided to accommodate all staff and customers. Parking along US Highway 65 is prohibited.
17. Any required permits for improvements to the existing driveways shall be obtained from the County Engineer's Office.
18. Time of operation for the business shall be limited to the period between October 1st and January 15th each year, not including activities involving the opening and closing of the business each year. Haunted hayrides will be conducted from 6:30 p.m. and must cease operation by 11:30 p.m. on Fridays and Saturdays during the month of October. Drive-thru holiday light displays will be conducted from dusk to 10:00 p.m. weekday evenings and operation must cease by 11:30 p.m. weekend evenings from late November to early January.
19. All lighting shall shine into the interior of the property and away from adjoining properties.
20. Trash receptacles with a closing lid, impermeable to birds or rodents, shall be provided onsite for use by customers on the property. At no time shall trash be visible above or outside of the receptacles. The applicant shall be responsible for all refuse removal from the site.
21. The applicant shall make sure emergency services can access the trails during operation if necessary.
22. The Special Use permit shall be reviewed by the Board of Adjustment before July of 2026.
23. 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.
24. 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 Randy Boehmer 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

- | |
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| <ul style="list-style-type: none">• Exhibit 1: Figures 1-8• Exhibit 2: Special Use Permit Application & Operator’s Statement• Exhibit 3: Site Plan• Exhibit 4: Parking Map• Exhibit 5: Parcel Highlight• Exhibit 6: Floodplain map |
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Figure 1

Looking at the grass ENTRANCE into the site from US Highway 65 in between the cornfield and neighbor's gate



Figure 2

Looking at entry gate at the southwest corner of the cornfield



Figure 3

West lane to be used to the parking area from the entrance on US Highway 65 when you come thru the gate



Figure 4

Looking at parking area south of the dwelling and driveway that will be used to EXIT the property



Figure 5
Parking area looking east towards US Highway 65 on south side of dwelling



Figure 6
Tractor to be used for haunted hayrides



Figure 7
Trailer to be used for haunted hayrides



Figure 8
Various trails on the property



SPECIAL USE PERMIT

APPLICATION

Date Filed 5-27-25

Date Set for Hearing 7-29-25

Case Number: 25-01

Applicant Name: Randy Boehmer Phone: 641-243-7780 E-Mail: Admin@FestiveFarmstead.com
Mailing Address: 22606 Orchid Ave Mason City Iowa 50401
Property Owner Name: Same Phone: 641-425-2614 E-Mail: rrboehmer@hotmail.com
Property Owner Address: Same

Property Description (Not to be used on legal documents): Parcel # 0316100006000 & 031610000601

Township Lime Creek

Property Address: 22606 Orchid Ave. Mason City, Iowa

Zoning: A-1 Agricultural

Brief Legal Description:

**BEG SE COR NW1/4 16-97-20 WLY 878' N 1317.73' TO N LINE S1/2 NW1/4 ELY 866' TO E LINE NW1/4 TH WLY 1316.19' TO POB
26.36 AC**

Net Acres: 24.640

Type of Special Use Requested: EE Special Event temporary Special Event Facility

Special Use Description:

Festive Farmstead is a family-run, seasonal event facility located on our private residential acreage. We are requesting a Special Use Permit to continue operating limited seasonal events including:

Haunted hayrides and Halloween-themed attractions in the fall (typically weekends in October)

A Christmas light drive-through display in winter (typically from late November thru early January.)

The property includes existing trails, fields, and a large shed/shop space for guests to gather. A one-way traffic loop using two driveways will be implemented to safely accommodate vehicle flow and reduce backup onto Orchid Avenue and the nearby highway.

All events are family-friendly, temporary in nature, and held in accordance with appropriate safety measures, including clear signage, insurance, trained staff/volunteers, and secure parking areas. We do not operate as a commercial business year-round—these events are limited to specific holiday seasons and occur primarily on weekends.

***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 Randy Boehm

Date 5-24-2025

Written Operators Statement

Applicant/Owner: RANDY BOEHMER

Address: 22606 Orchid Avenue, Mason City, Iowa

Zoning District: A-1 Agricultural

Type of Special Use Requested: Seasonal Special Event Facility (Haunted Hayrides and Drive-Through Light Displays)

Overview of Use

Festive Farmstead is a family-run, seasonal attraction operated on our private acreage at 22606 Orchid Avenue. We are requesting a Special Use Permit to host limited public events during two times of the year:

- **October:** Haunted hayrides and Halloween-themed activities
- **Late November – Early January:** Drive-through Holiday light display

These events are not year-round and take place primarily on weekends and evenings. Our intent is to provide a family-friendly experience for the community while preserving the rural character of our land.

Hours of Operation

- **Haunted Hayrides (October):**
Fridays and Saturdays, 6:30 p.m. to no later than 11:30 p.m.
(Possibly one or two Sunday evenings closer to Halloween)
 - **Holiday Light Drive-Through (Late Nov–Early Jan):**
Weekday Evenings, generally from Dusk to 10:00 p.m.
 - Weekend Evenings generally from Dusk to 11:30 pm
-

Traffic & Parking

To reduce congestion and ensure we keep vehicles off the nearby highway (Orchid Avenue), we will be using a **one-way loop traffic flow**. Visitors will enter using one driveway and exit using another, creating a safe and smooth route. On-site signage and staff will help direct traffic. Parking is provided in a designated grass lot, Parking can accommodate 102 cars with overflow space available when needed in field. Parking along the highway will be **STRICTY** prohibited, and guests will not be allowed entry if their vehicle is parked along Orchid Avenue (highway 65).

Safety Measures

- All trailers used for hayrides meet safety standards and are operated by trained tractor drivers.
- Trail routes will be inspected and cleared of hazards nightly.
- Lighting is used in key parking, walking, and staging areas.
- Visitors areas are confined to safe areas free of any known hazards using orange safety fence, permanent fencing and safety barriers.
- Costumes and props are made with safe materials. Volunteers and crew are trained, not to touch visitors and what to do during emergencies.
- Emergency numbers are posted, and we carry active liability insurance.

Restrooms & Waste

Portable toilets are provided during events and serviced regularly. Trash cans with lids are available, and waste is removed after each event. No permanent buildings are used for public restrooms.

Food & Concessions

Snacks and drinks may be sold on-site in accordance with public health requirements.

Lighting & Noise

- Outdoor lighting is seasonal and temporary. It is directed downward or inward to minimize light pollution.
- Music and sound effects are localized to the property and do not exceed reasonable volume levels.
- Outdoor music or sound effects end no later than 11:30 p.m. on Friday and Saturday. No later than 10:00 p.m. on weekdays and Sundays.
- The Holiday Light Show music is transmitted via a low power FM radio and visitors tune in from their vehicle. Visitors and vehicles will be expected to keep volume at a respectable level. the property owners have “back door” controls to turn down or turn off the music if a visitor attempted to abuse the audio volume. The FM signal meets FCC regulations. And does not transmit beyond the property

Community Consideration

Festive Farmstead is designed to complement the rural character of the neighborhood by offering seasonal, family-friendly events with minimal impact. We have planned traffic flow carefully with ample on-site parking and clear access points to prevent congestion and ensure safety. Guests are prohibited from parking along the highway to maintain safe road conditions.

Our facility uses self-contained flushable portable restrooms with regular service. Noise, odors, and light are kept to reasonable levels through limited event hours, controlled lighting, and natural site buffers to reduce dust and glare.

Public safety and health are top priorities, with clear signage, designated walkways, and trained staff to ensure a safe and clean environment. Overall, Festive Farmstead supports community welfare while respecting neighborhood peace and safety

Property Management

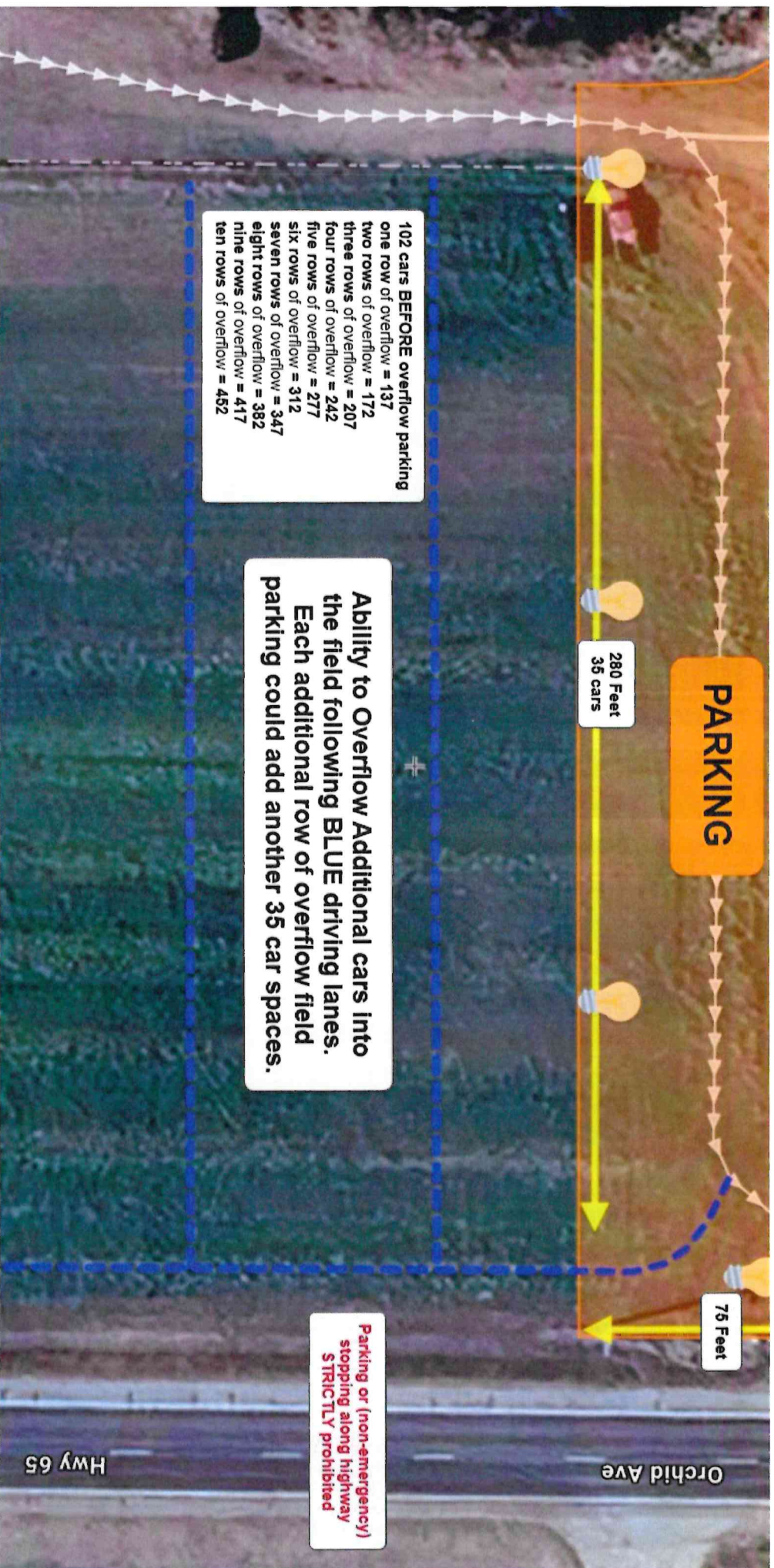
We live on-site and personally oversee every event. All setup, teardown, supervision, and maintenance is handled by our family and a small crew. The land remains in agricultural/residential use when events are not active.



Parking Area close-up



OVERFLOW PARKING



Safety is our top priority when it comes to vehicles and traffic. We have ample space on our property for parking and will not allow visitors to park along the highway or across the road and walk over. These areas are not safe for foot traffic, and we are committed to ensuring a well-organized, on-site parking system that keeps both our guests and the surrounding community safe.



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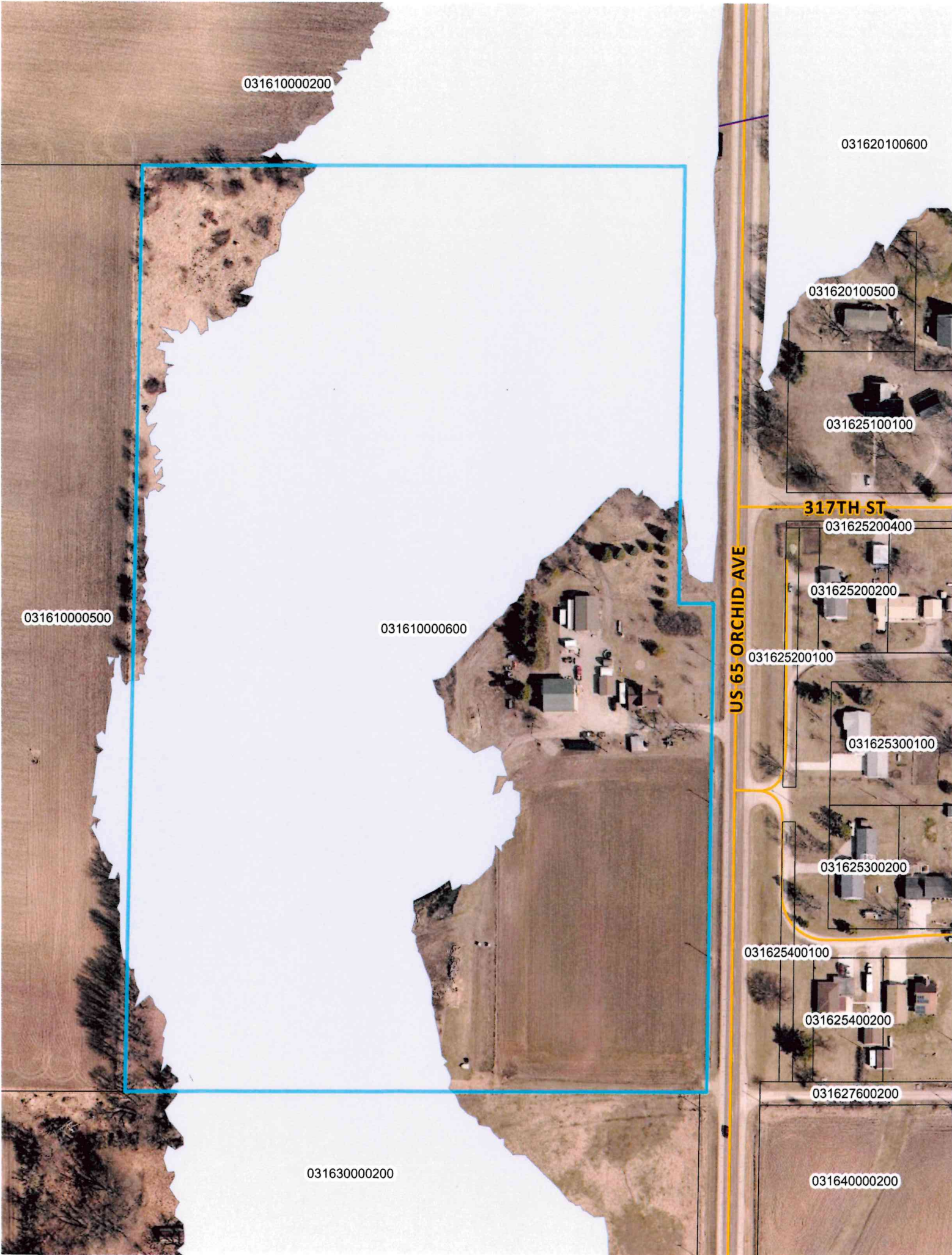
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US 65 ORCHID AVE



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