

## Christina Stanton

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**From:** Mike Weisenborn  
**Sent:** Thursday, February 22, 2018 12:45 PM  
**To:** Chris CARTER; Derek Collins; Stephanie Mullins  
**Cc:** Robert Allen (robertallenconst@gmail.com); Josh Johnson; Hector Soto; Christina Stanton  
**Subject:** RE: Maybrook Re-zoning Application  
**Attachments:** Parcels.xlsx

Here is a better version of the property info.

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**From:** Mike Weisenborn  
**Sent:** Thursday, February 22, 2018 12:43 PM  
**To:** 'Chris CARTER'; Derek Collins; Stephanie Mullins  
**Cc:** Robert Allen (robertallenconst@gmail.com); Josh Johnson; Hector Soto; Christina Stanton  
**Subject:** RE: Maybrook Re-zoning Application

Here are the templates. To save you time I have also provided the property ownership information. You are required to send one notification to each of the owners.

If March 13<sup>th</sup> is the target the letters will need to be sent tomorrow. I believe they will be out of town and returning on the 15<sup>th</sup>. It is not uncommon for the applicant to have someone from their team speak on their behalf. You can represent them if everyone is comfortable with that. If not it will have to be moved back to the 3-27 Planning Commission. You may want to have Matt there to handle stormwater questions. Let me know what dates work so that we can have the meeting continued correctly.

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**From:** Chris CARTER [<mailto:chris@choosecarter.com>]  
**Sent:** Thursday, February 22, 2018 11:55 AM  
**To:** Mike Weisenborn; Derek Collins; Stephanie Mullins  
**Cc:** Robert Allen ([robertallenconst@gmail.com](mailto:robertallenconst@gmail.com))  
**Subject:** RE: Maybrook Re-zoning Application

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Is there a sample we can work from?

Apparently we won't be on the docket for next week, now. The March 13th date is in the middle of Spring Break and I am not sure of my clients' schedule. Not sure if they are in or out of town. If they need to be present on the 3/13 date and they are out of town, is it safe to say the 3/27 hearing date is what would need to be quoted in this "notice"?

**Chris CARTER**  
direct: 816.350.4455 | [www.chooseCARTER.com](http://www.chooseCARTER.com)

**From:** Mike Weisenborn [<mailto:Mike.Weisenborn@cityofls.net>]  
**Sent:** Thursday, February 22, 2018 11:51 AM

**From:** Mike Weisenborn [<mailto:Mike.Weisenborn@cityofls.net>]  
**Sent:** Thursday, February 22, 2018 11:09 AM  
**To:** Chris CARTER <[chris@choosecarter.com](mailto:chris@choosecarter.com)>; Derek Collins <[ddcollins23@gmail.com](mailto:ddcollins23@gmail.com)>; Stephanie Mullins <[stephmullinsdds@gmail.com](mailto:stephmullinsdds@gmail.com)>  
**Cc:** Robert Allen ([robertallenconst@gmail.com](mailto:robertallenconst@gmail.com)) <[robertallenconst@gmail.com](mailto:robertallenconst@gmail.com)>  
**Subject:** RE: Maybrook Re-zoning Application

Good morning. Hope everyone is doing well. Christina is completing the packet for the Planning Commission and noticed that she has not received the affidavit for the notice to adjacent property owners or a copy of the letter that was sent to them. Can you email a pdf copy of these items.

Thanks

**From:** Chris CARTER [<mailto:chris@choosecarter.com>]  
**Sent:** Monday, February 5, 2018 3:53 PM  
**To:** Mike Weisenborn; Derek Collins; Stephanie Mullins  
**Cc:** Robert Allen ([robertallenconst@gmail.com](mailto:robertallenconst@gmail.com))  
**Subject:** RE: Maybrook Re-zoning Application

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Mike,

So to clarify. The hearing has moved to 2/27 at 5pm, correct?

What should we expect and what do we need to prepare for?

Thanks!

**Chris CARTER**  
direct: 816.350.4455 | [www.chooseCARTER.com](http://www.chooseCARTER.com)

**From:** Mike Weisenborn [<mailto:Mike.Weisenborn@cityofls.net>]  
**Sent:** Monday, February 05, 2018 2:41 PM  
**To:** Chris CARTER <[chris@choosecarter.com](mailto:chris@choosecarter.com)>; Derek Collins <[ddcollins23@gmail.com](mailto:ddcollins23@gmail.com)>; Stephanie Mullins <[stephmullinsdds@gmail.com](mailto:stephmullinsdds@gmail.com)>  
**Cc:** Robert Allen ([robertallenconst@gmail.com](mailto:robertallenconst@gmail.com)) <[robertallenconst@gmail.com](mailto:robertallenconst@gmail.com)>  
**Subject:** RE: Maybrook Re-zoning Application

Good afternoon. Hope everything is going well. We ran into a small speedbump that I need to make you aware of. Ordinance requires 15 days notice of the public hearing by posting the property and a notice in a local paper. I placed the notice on the property but the local newspaper did not run the add in time. Therefore, the item is on the agenda for but will be continued to February 27<sup>th</sup> for discussion. I apologize for the delay.

Let me know if you have any questions.

## Christina Stanton

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**From:** Mike Weisenborn  
**Sent:** Tuesday, November 28, 2017 12:39 PM  
**To:** Chris CARTER  
**Cc:** Derek Collins; Stephanie Mullins; Christina Stanton  
**Subject:** RE: Preparation for the Maybrook zoning on 12/6

The meeting on December 6<sup>th</sup> is to discuss staff comments. This is not a public hearing. Staff comments are due out today so you should be receiving something from Christina Stanton. The meeting is very informal and lasts less than 30 minutes usually. We do have the ability to schedule this meeting at a different time if Wednesday morning is not a good time.

*Yours Truly,*

**Mike Weisenborn** | Project Manager, Development Center  
220 SE Green Street | Lee's Summit, MO 64063  
816.969.1240 | [cityofLS.net](mailto:cityofLS.net) | [Mike.Weisenborn@cityvofls.net](mailto:Mike.Weisenborn@cityvofls.net)



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**From:** Chris CARTER [<mailto:chris@choosecarter.com>]  
**Sent:** Tuesday, November 28, 2017 11:51 AM  
**To:** Mike Weisenborn  
**Cc:** Derek Collins; Stephanie Mullins  
**Subject:** Preparation for the Maybrook zoning on 12/6

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Mike,

I did not hear from you yesterday so I thought I would send you an email.

Since this process is new to me, I have a few questions to prep for the meeting:

1. Who needs to be in attendance? Both Derek and Stephanie, or just one of the owners? If Stephanie needs to be there, she will need to adjust her patient load. I will be definitely be there.
2. What information will we need to bring?
3. What type of questions should we be prepared for?
4. I know we are to be at City Hall by 9a. Where are we supposed to be inside the building?
5. And I am sure there are other people on the agenda, too. How much time do you expect we will have to wait before we have our meeting?
6. And how long does this meeting/question time typically last?
7. Is there anything else we should know?

Thanks!

**The New York Times**

N.Y. / REGION

# Son Gets a Big-League Field; Indulgent Father Gets Sued

By IVER PETERSON SEPT. 27, 1998

When Bill Ingraham was growing up in the late 1950's, baseball was a gang of friends playing endless pickup games in a make-do field formed by the Passaic Avenue offramp at Route 3 in Clifton.

"We would play all day," Mr. Ingraham recalled. "I'd get 50 or 60 at-bats. Kids these days are limited to one game a week, and they get three, maybe four at-bats. They're not going to learn the fundamentals that way."

But Mr. Ingraham, 44, is a successful manufacturer of peel-and-stick shipping labels, and success in business has allowed him to give his 11-year-old son, Brian, the kind of playing time that a vacant field once offered him. So in the summer of 1997, behind his immense new house here in the heart of New Jersey horse country, in the same town where Gov. Christine Todd Whitman lives, Mr. Ingraham built a full-size ball field to major-league specifications, with a regulation clay infield -- the same three clays used at Yankee Stadium, he says -- and a 5,000-square-foot gymnasium for batting practice and winter basketball games.

Brian loves the field. Brian's friends, who show up every day, love it, too. But Mr. Ingraham's neighbors see things differently.

"It has been worse than anything you can imagine," said Kathleen DeSerio, a garden designer and hairdresser who has worked for seven years to restore her 1,500-square-foot Cape Cod-style house on the lot adjoining Mr. Ingraham's left field. "My house is finally to the point where it is livable, and it is really quite beautiful, and now I have Fenway Park behind me. The only person who hasn't shown up is Kevin Costner."

It seems that a three-acre ball field is not what the neighbors moved out here to see, or hear. Last summer, pickup teams regularly held games on the diamond on weekends. The "tink" of aluminum bats on balls, the cheering from the sidelines and the traffic on Beavers Road from parents and friends and more players have prompted the township and several neighbors to sue for the removal of the ball field and the gymnasium and for the return of Mr. Ingraham's 6.4-acre property to the kind of polished naturalness that people around here apparently favor.

Ms. DeSerio grumbled with rueful humor, "If this was happening in Christie's backyard I doubt very much that anything would have gotten this far."

She and three neighbors -- Elliott Rosen, a retired Rutgers historian, and James and Diane Kudless, the Ingrahams' nearest neighbors -- have joined Tewksbury Township's suit to have Mr. Ingraham's field bulldozed. It is true, as Mr. Ingraham emphasizes, that Tewksbury -- one of the wealthiest towns in New Jersey, with a median family of \$95,000 -- has miles of horse trails but no Little League fields, Ms. DeSerio said. But the town has bought land for ball fields, and if Mr. Ingraham cared to, Ms. DeSerio said, he could get involved in the effort to create those fields.

Town officials did not respond to repeated phone messages requesting comment, leaving the town's lawyer in this case, Joseph E. Murray of Berkeley Heights, to speak for it. The township granted a building permit for Mr. Ingraham's gymnasium, but he did not seek a permit for the ball field, Mr. Murray said. In its lawsuit, the town contends that using the field for baseball games violates the "auxiliary use" provisions of the town zoning laws, because baseball is played with a minimum of 18 players, plus officials and coaches. The laws' provisions, the town

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Governor Whitman, who lives on a 222-acre farm that lies partly in Tewksbury several miles from the Ingrahams' field, has been in Mexico recently and has not commented on the matter.

Mr. Ingraham admits that he made mistakes when he and his family moved to Tewksbury three years ago. He had hoped to create a baseball camp for grown-ups and children, but has given up on that idea because of opposition in this town of about 5,200 people. Since the neighbors first complained about the ball field -- not to him, he maintains, only to town officials and to lawyers -- he has agreed, in court, to some restrictions, pending the outcome of the lawsuit. For now, no ball games are played on the diamond, which is used only for batting and fielding practice. He has accepted a limit of four children under the age of 13 on the field at a time, the use of wood bats only -- the sound of baseballs striking aluminum bothered Dr. Rosen, his lawyer said -- no cheerleaders, no Sunday play and no more than two adults, in addition to Mr. Ingraham, on the field.

But beyond the restrictions, Mr. Ingraham thinks he has the lore and logic of baseball on his side.

He stood in the slanting autumn sunlight the other day and watched his son's private coach, a Boston Red Sox minor leaguer named Bob Slomski, put Brian and several other boys through batting practice. "I made mistakes," Mr. Ingraham said, "but I never told them I was going to stop playing baseball, because that's my thing. Their thing is tennis, my thing is baseball." He said that baseball is part of every boy's childhood and should not be interfered with.

Matters of style obviously count around here. In an atmosphere of restrained good taste, Mr. Ingraham has the manner of a man who would not be above kicking a little dirt on the shoes of any umpire who didn't like his style. In a town that reeks of old money, Mr. Ingraham's shipping-label money is so new that the ink on it might as well still be wet, and he thinks his unvarnished quality has made people turn on him. More than six feet tall, heavy-set with a barrel chest and an emphatic way of speaking, he also thinks that his love of team sports has rubbed people here

way of life," Mr. Ingraham said. "I could come in here with 10 horses and ride around sitting on a horse all day and they wouldn't say a thing."

Ms. DeSerio, Dr. Rosen and township officials say Mr. Ingraham can be hard to take: The suit describes him as "a bully" and says he has "a reputation for being potentially violent" and is "physically threatening in size and demeanor." The suit contends that Mr. Ingraham abused Dr. Rosen over the telephone, an allegation Mr. Ingraham denies.

Not all the neighbors disapprove of the ball field.

Frank Hannigan, former executive director of the United States Golf Association and a contributor to Golf Digest magazine, said the sounds from the Ingraham backyard are the sounds of his youth.

"Sure, I can hear it -- it sounds like kids playing ball, like we played when I was a kid," Mr. Hannigan said. "I don't live as close as some of the others do, and maybe if I lived where Kathy DeSerio lives I would feel differently. But as long as it isn't a commercial operation it doesn't bother me."

Ms. DeSerio is aware that suing a man for building a baseball field is a little like refusing to salute the flag. And she has borne the burden of defending the neighbors' point of view alone, since her fellow plaintiffs have refused to discuss the rhubarb.

"I understood when I went into this that I would subject myself to a lot of ridicule," she said. "They have made the point that I don't have children, but that doesn't mean that I don't love children. They say we're snobs. We aren't. We just think he is trying to bring a baseball camp in here, and he isn't going to stop trying unless we fight back."

Mr. Murray, the town's lawyer, said he did not know how much the township and the neighbors have spent on the case so far. "More than they can afford," he said.

Mr. Ingraham's lawyer, Terence M. Scott, estimated that both sides had spent

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Mr. Ingraham, after spending more than \$350,000 on the ball field and gymnasium, said that if he could only win permission for Sunday play, he would be satisfied with the way things are, all the other restrictions included. But give up the field entirely?

"If we lose in December we're going to appeal," he said, "and I assume they're going to let us keep playing while we appeal it. If they try to stop us, they're going to have to drag me off that field in handcuffs."

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in 2014, licensed by Town

At issue is 20 acres located near a Kansas City Power & Light substation and railroad tracks. Homes abut the property on the west and south. The area is zoned rural, but Miller and Town hope to get a 10-year conditional use permit to allow Town to add the building and field and relocate his coaching business from elsewhere in Stilwell. Town has been coaching players at the field for the past year.

The zoning board's staff had recommended approval, saying the proposal meets the land use plan for the area and would not cause major impairments to the rural quality of life. But several zoning board members said they were impressed with the turnout of 21 neighbors who spoke against the idea at the Jan. 4 meeting. They unanimously denied the permit.

The Millers have owned the property since 2000 and have allowed team coaching during that time largely without complaint. Now that the Miller family's children are about grown - the youngest is 17 - the family decided it was time to sell the place, with hopes that it could remain a baseball destination.

"We just wanted to sell the field to someone who would do a good job with it, put it to use for baseball. I love baseball," Dan Miller, who is Michael Miller's brother, told the Aubry-Oxford board last month.

They hope to sell it to Town, but the sale depends on the permit. Town currently coaches at 7380 W. 162<sup>th</sup> St. at a warehouse building in Stilwell. He is known as a "transformational coach" focusing on not only baseball skills but life skills as well, said his lawyer, Pete Heaven.

Town, who has coached for 27 years, has a record of consistently getting his players college scholarships, Heaven said. In 2014, he was named Kansas Coach of the Year by the Community for Coaches.

The property already has one ballfield, an infield practice field, two batting tunnels and two pitching lanes, plus a small storage building. Town wants to add a 24,000-square-foot building to be soundproofed for indoor training, offices and classrooms, parking, a new drive, and an additional ball diamond closer to the intersection.

There are a number of limitations on how he could use the property. No lighting, scoreboards, grandstands or amplified sound systems would be allowed, and there could be no games, only practices. The hours would be 9 a.m. to 9 p.m. and no more than 25 athletes could be on the property at a time, about the same as now, he contends.

The business only operates during good weather and outdoor practice is seasonal, from March through October.

The neighbors had several issues with the plan. They worried that traffic on the hilly roads and over one gravel road would cause dust and endanger the people who walk, run and ride horses on the rural roads.

Lack of sewer service also was a concern. Since there are no sewers for that area, the facility would have to offer portable toilets, which would be unsightly and smelly, some said. The county estimated sewers would not be available in the area until 2035. Water would also have to be brought in for people at the outdoor area, and that brought complaints for neighbors of potential trash on the site.

But the larger issue for many was the possibility of more visitors to the area ruining the peace and quiet. Tom Scanlon, a neighbor to the immediate west, said even without a public address system the property will still be noisy with teenagers and the noise of balls hitting metal bats.

“It’s going to be a constant tink, tink, tink, tink with the coaching going on and it’s not conducive to what we have been living out there for,” Scanlon told the county commission.

Scanlon’s lawyer, Aaron March, argued that Town’s Advanced Baseball Academy plans is a business that doesn’t fit the area and should have to go through rezoning, rather than the permit process.

Some neighbors agreed. “It’s not any more recreational than a pool hall or a bowling alley would be, said neighbor Greg Dean. “It is completely commercial and there’s no way around it. They market to the entire metropolitan area, not just Johnson County. It is simply an inappropriate invasion into our bucolic neighborhood.”

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## Judge rules baseball field violates county ordinance

### **Judge rules against public use of Arvada man's backyard baseball field**

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An Arvada man's field of dreams has turned into a legal nightmare. As we reported last spring, David Brown created a baseball field on his pasture for neighborhood kids to use.

An Arvada man's field of dreams has turned into a legal nightmare. As 9NEWS reported last spring, David Brown created a baseball field on his pasture for neighborhood kids to use.

But this year, the bases could remain empty. This is typically the time of year Brown is getting ready for baseball season.

"The boys of summer are back to play America's game," Brown said.

He built the field so kids could practice. However, the kids will have to practice elsewhere this time around.

Brown's across-the-street neighbor, Joe Jehn, filed a complaint with Jefferson County about Brown's baseball field.

Brown said Jehn, at one time, complained about cars parking in front of his home but that the problem had been fixed.



Brown's across-the-street neighbor filed a complaint with Jefferson County about his baseball field.

#### **PREVIOUS STORY: [Neighborhood baseball field under legal threat](#)**

Jehn now has private property signs in his front yard. He said his complaint had nothing to do with kids using the field. He told us his problem regarded a lack of respect for his own property, describing dirt from the field that would end up in his yard when the wind would blow.

A court date was set for earlier this month after Jehn filed his complaint. He and the assistant director of the Planning and Zoning department successfully argued against Brown.

A Jefferson County judge ruled the baseball field violated the SR1 zoning ordinance which states the field can be used for residential purposes only, not organized practices. Brown told us he faces a 100 dollar fine

## Neighborhood baseball field under legal threat

We have an update to a story we first brought you last year about an Arvada man who built a baseball field for neighborhood kids to use. In exchange, he encouraged them to bring canned food for a local food bank.

Now, a Jefferson County judge ruled the baseball field violates the county's SR1 Planning and Zoning policy.

We have an update to a story we first brought you last year about an Arvada man who built a baseball field for neighborhood kids to use. In exchange, he encouraged them to bring canned food for a local food bank.

**RELATED:** [Backyard baseball field fundraiser](#)

Now, a Jefferson County judge ruled the baseball field violates the county's SR1 Planning and Zoning policy.

According to Dave Brown, the property owner, the Planning and Zoning assistant director interpreted the policy as to not allow private baseball facilities because they are not specifically listed as an allowed use in the ordinance.

Brown argues otherwise.

Seven years ago, Brown converted his pasture off McIntyre Court into a baseball field. He built the field for his son and now invites local youth baseball teams to practice on the field for free.

The last two years, the field has played host to Brown's annual "Brownstown Dreamspark Food Drive, Fundraiser and Youth Baseball Game." In exchange for the field, players and fans were encouraged to bring non-perishable food items to donate to the Arvada Community Food Bank.

However, not everyone is a fan of Brown's backyard baseball field, particularly his neighbor across the street. Joe Jehn told 9NEWS teams practice on Brown's field most nights during the week, and he's tired of cars parking in front of his home.

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## Field of dreams

**Ball field subject of criticism from 1,500 feet away.**

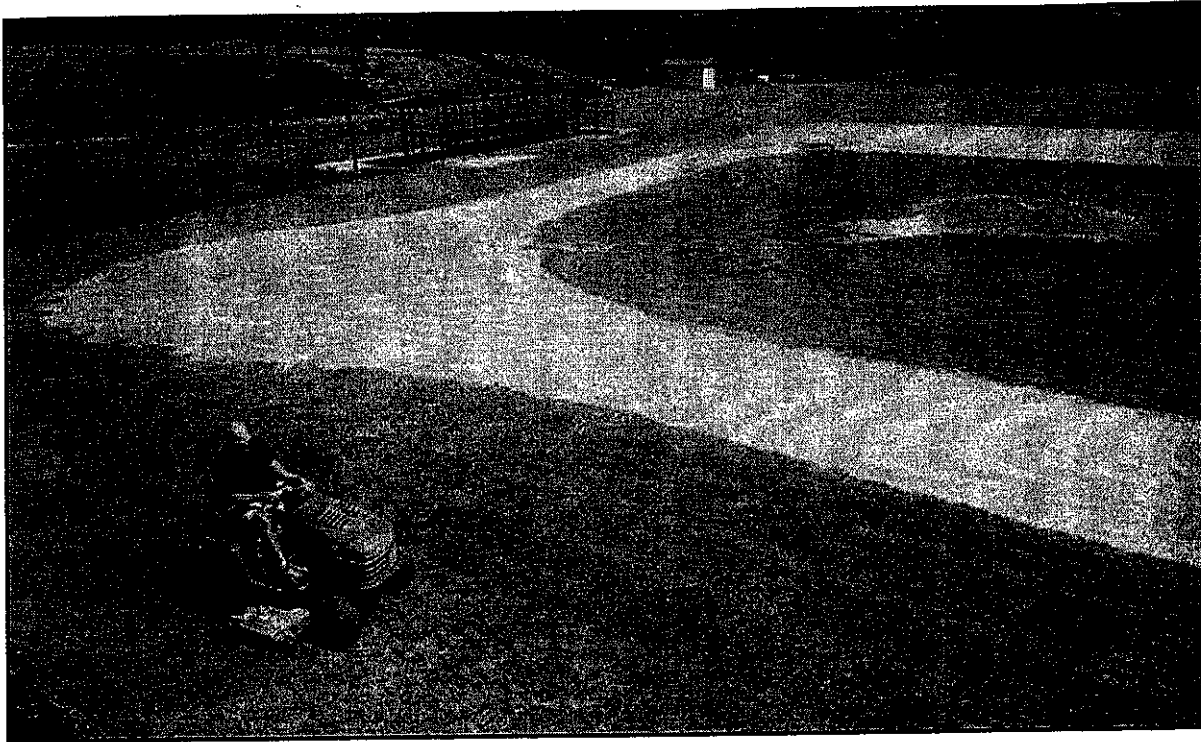


Photo by Don Shrubshell

Rick Rose mows the grass at his baseball field Saturday on Lakota Ridge Lane. Rose, who lives nearby, allows baseball teams to use the field in an upscale neighborhood off Route K, but one neighboring household has complained that the field does not comply with R-1 zoning.

By Jodie Jackson Jr.

Sunday, August 30, 2009

Rick Rose's field of dreams has become an affront to a neighbor in Bonne Femme Estates just south of Columbia.

Rose is seeking a conditional use permit for his privately operated recreational facility — a meticulously mown, laser-graded baseball field. On Aug. 20 the Boone County Planning and Zoning Commission voted 4-2 to recommend that the three-member Boone County Commission give final approval for his ball field in a meeting Tuesday.

“We haven't had anybody call or say anything negative about the ball field,” Tom Mendenhall, president of the Bonne Femme Homeowners Association, told the P&Z commission 10 days ago. “It's just kids playing baseball.”

Mendenhall said the association gave “unanimous approval” to the ball field in 2006. Rose said the unanimous support included his neighbors, Reginald Kinsey and Jenice Prather-Kinsey, who live at

7060 S. Lakota Ridge Lane. But if the couple supported the field at one time, they clearly oppose it now.

"When you build a dream home somewhere, you don't expect to have to look out your window and see a ball field," Prather-Kinsey told the P&Z commission.

Reginald Kinsey said he and his wife were not opposed to kids playing baseball but that the activity should take place "somewhere else" rather than their rural but upscale subdivision off Route K.

The couple also expressed concern about traffic speed, trash and noise in opposing the permit request. They were the only residents to state opposition.

P&Z members Larry Oetting and Michael Morrison opposed the conditional use permit. Oetting said he saw the ball field "more as a commercial enterprise," though Rose said he "never has and never will collect a penny" from teams using the field he built in 2003.

"It's been my gift to life," Rose said yesterday, taking a break from mowing the park-like ball field. "Anybody who would vote against this is voting against kids."

Rose said when he built the field — featuring a pair of 35-by-10-foot dugouts, a grass infield, a regulation-size diamond with home plate 340 feet from straightaway center field — he wasn't aware his property no longer was in compliance with county zoning regulations. He declined to say what he has invested in the field.

Rose pointed out that no one from the county planning department told him the field was in violation of county zoning but that he started thinking two years ago about making the field "legal" after a friend told him the baseball field was not a conforming use under R-1 zoning.

"I'm actually not asking for permission to do anything but forgiveness" for putting in the field without first seeking a permit, he said.

Rose's family moved into the home at 7040 S. Lakota Ridge nine years ago. The Kinseys built their 4,384-square-foot home in 2002. A year later Rose began building the field about 1,500 feet south of the Kinsey home. At the time, Rose said, Prather-Kinsey told him, " 'Rick, it's your property. Do what you want.' "

Prather-Kinsey disputed that statement at the Aug. 20 P&Z meeting.

But Rose insisted the field had not been a point of contention. "Nobody's complained about it at all — until now," he said yesterday.

The Kinseys each declined Friday to comment on the upcoming county commission meeting and whether they will renew their objections.

Rose said he already controls access to the field, which has hosted 11 practices and four games this year. It is also used a few times a year by hot air balloons landing or launching, and the University of Missouri Law Enforcement Training Institute uses it four times a year for recreation. Rose recalled that the MU club-level baseball team has played on his diamond as well. "They've whipped Kansas' ass a few times down here," he said.

The field is used only during daylight because it has no lighting — a condition that would remain if the

permit is approved. Other conditions of the permit would include providing restrooms — Rose plans to provide portable toilets; keeping access to the field gated when it is not in use; not operating the field as a business; and providing a dust-free driveway and parking area.

Rose said that in 2002 his son was a 12-year-old on the Columbia Bombers baseball team that he coached to a 50-3 mark. The next year the team began practicing on Rose's field and went 56-3, winning state championships in three different leagues. Every player on the original team played high school baseball, and 10 players earned scholarships to play in college, Rose said.

If the county commission denies the request Tuesday, Rose said, that would end his field of dreams.

"I'd just shut it down if it offended that many people," he said, repeating: "It would be a vote against kids."