

**From:** [Anderson, Blair](#)  
**To:** [Carlos Trejo](#); [Barbara Sondag](#); [Ruth Springer](#); [Sidney Clark](#); [Maxine Weil](#); [J Gregory Carl](#); [Missy Waldman](#)  
**Subject:** 508 N. Warson Rd. & Proposed Batting Cage  
**Date:** Friday, November 20, 2020 4:07:23 PM

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City of Olivette Officials,

We are residents of Olivette and live at 4 Lisa Drive which is within 100 feet of the proposed batting cage. We have come to enjoy our afternoons and evenings on our outside patio and are very concerned with the level of noise that a commercial grade batting cage will create. Not just the sound of the motor running while the machine throws balls towards the batter, but the loud sound of aluminum bats and even wood bats striking the ball. The decibel level of sound that will occur when the batting cage is in use will far exceed the allowable levels set by the City of Olivette. Cities have sound ordinances just for these reasons, to protect the peaceful settings of residential areas.

We plan to attend the "Board of Adjustments" public hearing November 30<sup>th</sup> where we will voice our opposition to this proposal, but also wanted to write this letter of opposition to the proposal for the record.

Truly may you all have a blessed Thanksgiving

Blair & Deborah Anderson  
4 Lisa Drive  
Olivette, Mo  
63132

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**From:** [Lucy Durbin](#)  
**To:** [Ruth Springer](#); [Barbara Sondag](#); [Carlos Trejo](#); [Sidney Clark](#); [Maxine Weil](#); [J. Gregory Carl](#); [Missy Waldman](#)  
**Cc:** [srochester78@gmail.com](#); [c-stein@sbcglobal.net](#); [jason@djrecordsusa.com](#); [vanallenkurtis@gmail.com](#); [kva@mohistory.org](#); [liz@elizabethrealestategroupplc.com](#); [skling@jenkinskling.com](#)  
**Subject:** 508 N. Warson Road Batting Cage  
**Date:** Monday, November 9, 2020 2:31:42 PM

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City of Olivette Officials,

I live at 33 Nantucket Lane and am writing to express concern about the construction of a batting cage at 508 N. Warson Road. Olivette designates the neighborhood as a residential community, so I do not understand how the City could allow a structure like a batting cage, found at sports complexes and entertainment venues, to be permitted.

I do not want to live near a batting cage, which will inevitably create endless nuisance. The noise from bats hitting balls will be loud enough, and if the owner invites multiple people to use it, then then I'd have to deal with shouting, cheering, etc., again all fine activities but ones appropriate to public spaces. I'm also concerned that its size indicates a potential use for entire teams, which then raises questions about some type of road and/or parking created for the 508 N. Warson backyard and subsequent motor vehicle traffic.

A batting cage is not an appropriate structure for a residential backyard. Its noise, aesthetics, and general nuisance will hurt property values.

Respectfully,  
Lucy Durbin  
33 Nantucket Lane  
[lucyfries@aol.com](mailto:lucyfries@aol.com)

**From:** [Retta Leritz](#)  
**To:** [Ruth Springer](#); [Barbara Sondag](#); [Carlos Trejo](#); [Sidney Clark](#); [Maxine Weil](#); [J Gregory Carl](#); [Missy Waldman](#)  
**Cc:** [srochester78@gmail.com](mailto:srochester78@gmail.com); [c-stein@sbcglobal.net](mailto:c-stein@sbcglobal.net); [jason@djrecordsusa.com](mailto:jason@djrecordsusa.com); [vanallenkurtis@gmail.com](mailto:vanallenkurtis@gmail.com); [kva@mohistory.org](mailto:kva@mohistory.org); [liz@elizabethrealestategroupplc.com](mailto:liz@elizabethrealestategroupplc.com); [skling@jenkinskling.com](mailto:skling@jenkinskling.com)  
**Subject:** 508 N. Warson Road  
**Date:** Saturday, November 7, 2020 12:01:42 PM

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City of Olivette Officials,

I am writing you to express the Lisa Drive Home Association's concerns about Richard Kellner's planned construction of a batting cage at 508 N. Warson Road. Not only have our residents already endured several months of unnecessary noise and disruption from Mr. Kellner's off-hours construction, resulting in numerous calls and complaints to the Olivette Police Department, a completed batting cage will introduce several new concerns and is likely in violation of Olivette's zoning regulations for open accessory structures.

**Likely Setback Violation:**

Mr. Kellner appears to have begun construction of a batting cage five feet from the side setback next to 3 Lisa Drive. The batting cage appears to be significantly larger than 120 square feet and therefore is subject to Section 400.1502.B.5.b of the Olivette zoning regulations stating that open accessory structures in excess of 120 square feet shall not extend more than five feet beyond the principal structure.

**Noise Violations:**

Based on a review of multiple municipal lawsuits involving batting cage noise complaints, we expect noise levels in excess of 68dBA for batting cages placed 180 feet from noise sensors. It is reasonable to expect that noise levels at the property line will regularly exceed 70 dBA and therefore be considered a disturbance of the peace as defined by Article V Section 215.670. Mr. Kellner has informed some of our residents that he plans to make the batting cage available for practice sessions with local baseball teams and we can therefore expect high noise levels from batting participants yelling and cheering. Mr. Kellner has also informed our residents that he intends to construct a parking lot adjacent to the batting cage along with a gravel drive. Vehicles driving and parking along the rear property lines of our residents will further increase the noise nuisance. Mr. Kellner has continually disregarded our residents' complaints about the noise created by after hours construction and we do not believe it is reasonable to expect Mr. Kellner to abide by any complaints regarding noise when using the batting cage.

**City of Olivette Design Guidelines:**

Mr. Kellner's decision to place the batting cage five feet from the shared property line with 3 Lisa Drive fails to meet Olivette's Design Guidelines concerning the preservation of light, air and open space. The new batting cage will dominate the view from rear of 3 Lisa Drive and will likely devalue that property.

We ask that the City of Olivette consider these concerns and deny any permit or variance request by Mr. Kellner to construct a batting cage on his property.

Regards,

Retta Leritz Tussey  
President, Lisa Drive Home Association

**From:** [Russ & Timi LaMore](#)  
**To:** [Ruth Springer](#); [Barbara Sondag](#); [Carlos Trejo](#); [Sidney Clark](#); [Maxine Weil](#); [J Gregory Carl](#); [Missy Waldman](#)  
**Cc:** [srochester78@gmail.com](mailto:srochester78@gmail.com); [c-stein@sbcglobal.net](mailto:c-stein@sbcglobal.net); [jason@djrecordsusa.com](mailto:jason@djrecordsusa.com); [vanallenkurtis@gmail.com](mailto:vanallenkurtis@gmail.com); [kva@mohistory.org](mailto:kva@mohistory.org); [liz@elizabethrealestategroupplc.com](mailto:liz@elizabethrealestategroupplc.com); [skling@jenkinskling.com](mailto:skling@jenkinskling.com)  
**Subject:** Concerns Regarding Property Development at 508 N. Warson Road  
**Date:** Friday, November 6, 2020 2:42:50 PM

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Dear Olivette Officials,

My family lives at 534 N. Warson Road, just two doors down from the property discussed herein. Although I am a Creve Coeur resident, my property abuts Lisa Drive and a substantial amount of my property is within the Olivette border. I wish to join my neighbors on Lisa who want to halt the development of what appears to be an athletic facility at 508 N. Warson Road. We understand that the homeowner intends to install batting cages at the far end of his property, which raises some red flags for me in a residential neighborhood. I believe there will be noise created as balls are pitched and hit, and it's not known how many players will be practicing on the equipment and for how long at a time. That leads to the question of whether multiple players, or even teams, will be driving on the property to practice with this equipment. Are residential properties permitted to have parking lots to accommodate players coming and going?

More broadly, however, is the concern that essentially a recreational complex is in the works on this property which, in addition to batting cages, may include a soccer field or other similar surfaces. Will this property become a regular practice field for teams? If so, one can easily imagine that the noise from the complex, cars on the property, and potential lighting and/or a sound system could move this from a mere nuisance to something that negatively impacts our property values. Should this type of development occur in a residential neighborhood? Surely there are commercial or public facilities for these activities. I don't know the building codes for Olivette, so I'll just ask you this: is a development like this something you would want in your backyard? If not, then you understand why we request your intervention now.

Although the current discussion pertains to a batting cage, I fear that much more development will follow and the result will be far from positive for our neighborhood.

Thank you for your consideration.

Respectfully,

Russ LaMore  
534 North Warson Road  
Creve Coeur, MO 63141

**From:** [Kitt Tzinberg](#)  
**To:** [Ruth Springer](#); [Barbara Sondag](#); [Carlos Trejo](#); [Sidney Clark](#); [Maxine Weil](#); [J Gregory Carl](#); [Missy Waldman](#)  
**Cc:** [c-stein@sbcglobal.net](mailto:c-stein@sbcglobal.net); [Sean Rochester](#)  
**Subject:** Disturbances coming from 508 Warson Rd  
**Date:** Friday, October 30, 2020 5:05:17 PM

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October 30, 2020

Olivette City Council

1140 Dielman Rd.

Olivette, MO 63132

RE: Property at 508 Warson Rd

Dear Olivette Mayor and Council Members:

My family resides at 17 Nantucket Lane, Olivette, MO. We are invested members of the Olivette community and have very much enjoyed living in this area, until recently.

I am writing you today in an effort to cease the constant outdoor construction disturbances, visual and auditory, being generated by the current owners of the property located at 508 Warson Rd.

For several months, my family and the community have patiently endured the incessantly loud noises emanating from the activity of the owners of 508 Warson, and the structures being erected. The excessive noise begins early in the day and often continues to all hours of the night. On multiple occasions, I have witnessed loud equipment left running without any apparent employment, deafening music, and behaviors of the owners that seem to simply be geared toward antagonizing some of the immediate neighbors. While I understand their intention may be one thing, their impact on our community has been extremely negative. And, while our home is not immediately adjacent to this property, our peace has been dramatically disturbed and the quality of living greatly affected by the behaviors of the owners at 508 Warson.

Recently, we have learned that these disturbances are emanating from the alarming physical structures being erected on this property. Our family purchased our HOME in Olivette to reside among other residents, NOT sporting arenas in our backyards. To our knowledge, what is being erected is a batting cage, among other structures. Not only has 508 Warson Road's construction process disrupted the community, it has resulted in turning our shared residential space into what looks like a commercial sporting arena, and will only generate more noise disruptions once completed.

I urge you, Madame Mayor and Council Members, to assist us in terminating the activity at 508 Warson Road, helping us restore some semblance of peacefulness to our residential community. I truly appreciate your time and consideration in this matter.

Sincerely

The Wroth Family  
314-799-7130



City of Olivette  
Board of Adjustment  
1140 Dielman Rd.  
Olivette, MO 63132

November 13, 2020

Re: 508 North Warson Rd.

To: Members of the Adjustment Board

I am writing this letter with great concern regarding my subdivision and my neighborhood of Olivette. I have lived at #5 Lisa Dr. for 23 years and am very shocked that Olivette would allow a batting cage erected about 6 feet from a neighboring property. The property at 508 Warson Rd. which includes over 2 acres in Olivette, has been allowed to put a batting cage that looks like it is placed in the back yard of #3 Lisa Dr. Surely, it could be placed elsewhere on the property.

The owner of the above Warson Rd. property has removed many trees and destroyed almost all of the vegetation. The neighbors on Lisa Dr. have seen nothing but barren ground for more than a year. For Olivette to have approved a batting cage about 6 feet from the backyard of #3 Lisa Dr. is very troubling and thoughtless.

I strongly oppose the location of the batting cage and hope the Adjustment Board will also oppose it.

Thank you for your consideration.

*Marilyn H. Merritt*  
Marilyn H. Merritt  
5 Lisa Dr.  
Olivette, MO 63132

cc: Elizabeth Little

**From:** [Ross, John](#)  
**To:** [Carlos Trejo](#)  
**Subject:** nov 30th meeting permit #p2020-00774 batting cage  
**Date:** Wednesday, November 25, 2020 9:19:38 AM

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Please note I am strongly opposed to the above referenced building permit. This neighbor does a very poor job maintaining his property

Sincerely

John Ross----476 North Warson.

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**John Ross**

**Chairman | Indoff**

[11816 Lackland Rd St.  
Louis, MO 63146](#)

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