

From: [Conger, Michael](#)
To: [Yve Dina](#)
Subject: RE: Case Number pl23-0009
Date: Wednesday, July 17, 2024 6:33:00 PM
Attachments: [image001.png](#)

Mr. Howard –

The project is now approved. I provided notification by prior email. If you would like to appeal, you may do so by 5:00 pm on Monday, July 29. Let me know if you need any clarification on how to file an appeal.

Regards,
--Michael

Michael T. Conger, AICP | Senior Planner
Michael.Conger@Ventura.org



From: Yve Dina <[REDACTED]>
Sent: Wednesday, July 17, 2024 6:01 PM
To: Conger, Michael <Michael.Conger@ventura.org>
Subject: Re: Case Number pl23-0009

WARNING: If you believe this message may be malicious use the Phish Alert Button to report it or forward the message to Email.Security@ventura.org.

As you are aware, or perhaps you have forgotten, the attempt at (as you put it) at rational conversation with the neighbor resulted in an attempt at her extorting the sum of \$27,000 from us as (consideration of placement of the pens.) before she had any horses on premise.

Second, it's an easily drawn conclusion that you should be the last person attempting to explain the steps and workings of the legal system to me. There has been no threat...as you put it. You mistake a statement of logical conclusion as a "threat" ...I'm not surprised.....

To add some clarity into this conversation Sir, this "entire matter" is about legalities and legal proceedings, Yet you appear to be under the very mistaken notion that it is not. When I make a statement pertaining to possible future legal proceedings, you label those statements as being threatening. In your last email, you've condensed this entire matter down to "two neighbors that have a disagreement. You go further by suggesting that I "personally" approach a party that has already attempted to extort money (27k) from my family and "talk"..... Under that circumstance, or ..what section of law are you quoting that stipulates "that course to be the next legal (or even logical) step? The governing county department now making this decision has the legal obligation and also responsibility to

County of Ventura
Board of Supervisors Hearing
Case No. PL23-0009
Exhibit 2.9 - Public Comments Received

protect the general public in these matters. THAT Mr. Conger is the next legal and logical step. .

Furthermore if you chose to personalize my correspondence to you with regard to you" just doing your job"... that Mr. Conger , also is your prerogative. When we spoke and also corresponded previously, you made clear,two points. One of them being,"You were simply doing your job" , the second being that "all" correspondence on this matter would be forwarded (without edit) to the director. Full stop. It is you sir that appears to be mischaracterizing our telephone conversation with regard to my daughter's "condition".or there has been a massive miscommunication or disconnect.. My understanding as to what was said appears to be vastly different from yours.Yet unlike you I've stopped short of characterising your view as a lie. I have zero to gain by "mischaracterizing" or as you've inferred, "lying about what was discussed;. Furthermore,you also stipulated in this matter you had not taken a side one way or another.Judging from the counter points you've made in your reports to the director and complete failure to address the medical and scientific evidence That is a very arguable statement.By your past omissions and continued omission, you sir, have personalised this matter entirely on your own.

There is nothing stopping you from submitting Dr. Howard's objection.

On Wednesday, July 17, 2024 at 11:51:22 AM PDT, Conger, Michael <michael.conger@ventura.org> wrote:

Mr. Howard –

I understand you are upset with staff's recommendation and with the public hearing protocol. But I ask that you kindly refrain from personal attacks and that you don't mischaracterize our conversation. When we spoke on June 20, you indicated that the comments would be forthcoming the following week – not three and a half weeks later. In fact, I had asked that you provide them by the morning of June 26, so they could be duly considered by the management committee before the continued hearing. Our policy is clear: comments must be submitted in advance of the hearing or presented at the hearing. This is not a matter of "unwillingness" or "tampering with extremely pertinent evidence." This is a matter of providing a fair public hearing procedure where everyone gets the same opportunity to provide input. The law does not allow for project opponents to submit last-minute comments while depriving the applicant of an opportunity to rebut them. If you submit comments after the comment period has closed, there is a consequence: they will not be considered in the decision. This is a matter of policy, not personal discretion as you have implied. However, should you choose to appeal, it would be proper for the Planning Commission to consider the comments as part of the appeal.

You have repeatedly threatened litigation. If you wish to litigate, that is your prerogative. But please note that a prospective litigant is generally required to exhaust administrative appeals before bringing suit. Effectively, this means you will need to make your case before the Planning Commission and then the Board of Supervisors on appeal first. It is entirely possible that you would find litigation unnecessary if the Commission or Board are persuaded by your testimony and require that the applicant relocate facilities. You characterize the \$1,000 appeal deposit as a "discriminatory ransom." The deposit, in fact, helps to offset staff costs in processing the appeal and discourages frivolous appeals. If the Planning Commission grants the appeal, the deposit is returned in full to the appellant. There is little risk if an appellant's case before the Planning Commission is so compelling, or the Planning Director's error is so grievous, that a reversal is certain. However, if an appeal only raises frivolous issues that do not justify reversal, the deposit is unlikely to be refunded.

To be clear, I am by no means asking you to "go away." I simply want to guide you to the appropriate

avenue for pursuing this matter. However, it seems you have more interest in quarreling with me personally than doing this. At this time, the only recourse available to you is to file an appeal during the appeal period. If this interests you, I can facilitate that process. Otherwise, you might consider redirecting your efforts— like, perhaps, engaging in rational, meaningful, and good faith dialogues with your neighbor to see if you can reach a mutually agreeable resolution that does not require County intervention.

Regards,

--Michael

Michael T. Conger, AICP | Senior Planner

Michael.Conger@Ventura.org



From: Yve Dina <[REDACTED]>
Sent: Wednesday, July 17, 2024 10:02 AM
To: Conger, Michael <Michael.Conger@ventura.org>
Cc: Austin Howard <[REDACTED]>
Subject: Case Number pl23-0009

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Mr Conger,

I understand your unwillingness to forward a professional medical opinion to your director. I would too if I were attempting to shield a potentially egregious mistake. However erecting a type of Bureaucratic wall with regard to a letter you knew full well in advance was coming to you isn't going to fly here nor in a Federal court of law nor with the Environmental Protection Agency. You been made fully aware (through phone conversation) the letters were coming. My daughter (Dr howard) just delivered her first child (my first grand child) and that is a traumatic experience whether you recognize that fact or not. So traumatic, the both the State and Federal governments have seen fit to mandate a specific amount of (mandatory) leave from work so that the mother may recuperate both mentally and physically.

Sir , by not including this expert opinion,you are now "willfully and knowingly" tampering with extremely pertinent evidence and also making crystal clear an obvious discriminatory mindset that has already permeated this entire proceeding so far.

I demand that this professional opinion be forwarded to the director without the discriminatory ransom of \$1,000.00 you are now demanding .Should it become necessary to appeal, my other Daughter,(DR. C. Howard,the Veterinary Surgeon) and Dr, A. Howard's Colleagues (a learned team of infectious disease specialists), that battle exactly the types of diseases on a daily basis that you wilfully intend to subject my family to,.. Will THEN give their expert opinions not only in a planning commission hearing, but "also" in a court of law.. At that time ,inquiries will be made as to the (WHY) your entire department has chosen to simply ignore "previously submitted" sound medical and scientific guidance.

Mr. Conger, we are not going away.

Cordially,

Richard Howard

From: [Conger, Michael](#)
To: [Yve Dina](#); [Austin Howard](#)
Subject: RE: Case Number pl23-0009
Date: Wednesday, July 17, 2024 5:42:00 PM
Attachments: [image001.png](#)
[2024-07-17 Approval Ltr.pdf](#)

Good afternoon, Dr. Howard and Mr. Howard –

The Planning Director has approved CUP and PD Permit No. PL23-0009. Please see the attached approval letter. The appeal period begins today and closes at the end of the day (5:00 pm) on Monday, July 29, 2024. If you wish to appeal this matter, you will need to fill out an appeal form and reimbursement agreement and pay the deposit before the close of the appeal period. More info is available here: <https://vcrma.org/en/appeals>. Please reach out if you have any questions or need any assistance in filing an appeal.

Regards,
--Michael

Michael T. Conger, AICP | Senior Planner
Michael.Conger@Ventura.org



From: [Conger, Michael](#)
To: [Austin Howard](#)
Cc: [Yve Dina](#)
Subject: RE: Case Number pl23-0009
Date: Tuesday, July 16, 2024 4:37:00 PM
Attachments: [image001.png](#)

Good afternoon, Dr. Howard –

The Planning Director can only consider comments that were provided at or prior to the public hearing, which concluded on July 3. I expect the Director will be taking action on the permit by the end of the week. Once that occurs, there is a 10-day appeal period. Any aggrieved party may appeal during the appeal period by completing the appeal form and paying a \$1,000 deposit. More information on that is available here: <https://vcrma.org/en/appeals>. If the appeal is granted, the deposit will be refunded. Otherwise, it will be applied towards the costs of processing the appeal. An appeal on this matter would be heard by the Planning Commission. The Planning Commission's action on appeal is also appealable to the Board of Supervisors, which has final say. If you would like, I can notify you of the Director's action, so you can consider whether you wish to file an appeal.

Regards,
--Michael

Michael T. Conger, AICP | Senior Planner
Michael.Conger@Ventura.org



From: Austin Howard <[REDACTED]>
Sent: Monday, July 15, 2024 2:10 PM
To: Conger, Michael <Michael.Conger@ventura.org>
Cc: Yve Dina <[REDACTED]>
Subject: Case Number pl23-0009

WARNING: If you believe this message may be malicious use the Phish Alert Button to report it or forward the message to Email.Security@ventura.org.

7/15/2024

Good afternoon Ventura County Representative Michael Conger,

It has come to my attention that the neighboring property, addressed at 11820 Topa Vista

Road, Santa Paula, CA, intends to sequester upwards of one dozen horses within forty feet of our shared property line, precisely alongside where our living quarters are located.

It is my medical opinion that the decision to place so many large animals nearby our living quarters is dangerous and should strongly be reconsidered. The risk of health complications to those of us living so closely include, but are most certainly not limited to, exposures to the biohazardous wastes of their urine and fecal matter as well as the increased concentration of flies and other vermin attracted to said excrement.

More worrisome than that is the increased risk of exacerbating allergy-related events such as allergic Bronchial Asthma (a potentially fatal condition) in the children and senior citizens living on the nearby premises. This will cause a subsequent increase in doctor's visits, hospitalizations and mortality events.

I have been told that in response to these concerns being brought to the County, they were disregarded and that the danger of exposing people to such risks won't be considered since "it's always been done this way for at least 100 years".

I assume that the person who stated this was unaware of how serious these matters are and that their opinion (which will place several people's lives at risk) isn't that of the County's or other parties involved.

Now that all of the dangers have been brought to your attention, please note that ignorance cannot be claimed. Any and all health complications that arise are in your hands.

I strongly recommend that you re-evaluate the proposed plans to avoid harm coming to any persons living next door.

Sincerely,

Dr. Austin Leialoha Howard, MD
Internal Medicine
[REDACTED] Topa Vista Road, Santa Paula, CA

(Case Number pl23-0009)

From: [Yve Dina](#)
To: [Conger, Michael](#)
Date: Wednesday, July 3, 2024 7:04:15 AM

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Permit, Case No. PL23-0009

After rereading the last email that I sent for consideration to this hearing, I realise I've left too much "wiggle room" for my language to once again be misapplied.

So in an effort to be more concise in my language I demand the following be entered into the official record....

Our objection is "NOT" to the animal husbandry facility in and of itself. Our objection is to the location of the facilities, i.e. so called "temporary" paddocks, so called "temporary" grooming stations etc. With the emphasis on the intentionally mislabeled structures as being "TEMPORARY". and "moveable". The use of that word is not true. They are permanent livestock "warehousing" areas. I personally watched a construction company pour the concrete footings for these so called "temporary, movable" facilities. The "gas station like" paddocks/ shading areas are also permanent. All of these hazardous facilities are scientifically well within the "human killing zone" range... 40 or 60 feet from a domicile full of legally defined "Receptors" is reckless at it's very best and intentionally creating a dangerous human hazard at it's worst.

The "inconvenience" of preserving human health and human lives vs. conflicting with the inconvenience of simply moving the concentrated warehousing of up to 12 or so horses to another section of this huge property should have never been up for debate. If the moving the location existing buildings on the property is an "Inconvenience"... then don't move the buildings. It is the "PROPOSED USE" of the buildings and the surrounding areas that are at the crux of the creation of the biohazard. And this department that has convened this hearing has the authority to designate these areas for "land use"... For the good or the obviously bad.

From: [Yve Dina](#)
To: [Conger, Michael](#)
Subject: Re: Hearing for CUP / PD Permit No. PL23-0009 on 7/3
Date: Tuesday, July 2, 2024 11:11:13 PM
Attachments: [image001.png](#)

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Mr Conger. I'm writing you this email to put on the written record my disappointment in your staff responses so that there will be no denial should it be necessary that legal recourse be taken .

With regard to the staff response to commenters objection to Noise dust flies and spread of disease. The staff response was "

"The County has long considered 40 foot distance to be adequate in reducing the impact that nearby animal husbandry or animal keeping operations could have on neighboring residents. The approved but as yet built single-family dwelling is approximately Responses to Comments and Modifications to Conditions of Approval CUP / PD Permit No. PL23-0009 Planning Director's Hearing – July 3, 2024 Page 4 of 6 63 feet south of the nearest animal husbandry use/structure. Requiring the owner to relocate animal husbandry / animal keeping facilities 400 feet from the approved dwelling would impact nearly all the existing and proposed facilities. Additionally, a wetland is located in the northern portion of the site; relocating the existing and proposed structures to the undeveloped portions of the northern boundary of the property could result in biological impacts that have not been evaluated and are presently being avoided."

A little common sense here guys ..Staff response (speculates) about "possible impacts to Biological damage in the wetlands.". Really? Why are you attempting to make the applicant's wetland problem mine or even your problem? Those are her illegally constructed buildings. The diseases and serious health problems caused by prolonged exposure to animal waste that I emailed to Mr Conger weeks ago aren't speculative in the least. The bio hazards listed are as long as my arm. These are scientifically proven ,peer reviewed results, published in countless medical and scientific journals around the entire planet! That 40 foot guideline at best, is a guesstimation ,that was come up with by a local government bureaucrat probably a century ago. Really?

I'm sure at some time in the past, Blood letting, leeching were considered an adequate "standard of care" at that time. Where was the scientifically peer reviewed studies and documentation?...There was none. However, as stated above, there is an abundance of documentation supporting my well founded objection.

Gentlemen "IF"your staff's response to my "Redlining" comment indicates anything,it clearly shows a lack of understanding of the spirit of the "environmental justice" SB 1000.

This bill attempts to prohibit warehousing ,or in this case, warehousing 12 horses in a concentrated area a.k.a (warehousing), within 1000 feet of "sensitive receptors". The law categorizes schools, health care facilities housing for the elderly/senior citizens..(US), churches and a few other examples as being legally (receptors). Attempting to pigeon hole this law to specific areas of the state ,(as the staff response person notes) is weak at best. The designation areas he mentions are not the alpha and omegas of social environmental injustice. That is a misguided notion. That is akin to the statement.. "Bank robberies only occur in the city".

Also if my daughter,an MD and also a co owner of our property,decides that she (legally) wishes to see up to five patients a day,(after getting any permit necessary from the county), she wont be able to because of the sanctioned biohazard 60 feet away from our doorstep.

Exposure to livestock feces and urine can pose serious health risks to

humans. These can contain harmful bacteria and viruses that can cause a variety of illnesses, including:

- Gastrointestinal illnesses: Such as E. coli, Salmonella, Rotavirus, and Norovirus
- Respiratory problems: Such as cryptosporidiosis and psittacosis
- Skin infections: Such as hookworm infection
- Other diseases: Such as toxoplasmosis, leptospirosis, and hepatitis

These pathogens can spread to humans through direct contact, droplet infection, or by consuming food or water contaminated by livestock excrement. If you suspect exposure to animal feces or urine, you should call a professional team to safely remove all traces and clean and disinfect the area.

Last year, the federal environmental protection agency launched an investigation after California Native American tribes alleged that the state water board discriminated against them by failing to protect the water quality of the San Francisco Bay and the Sacramento-San Joaquin Delta.

The county of Ventura will be liable. They are knowingly failing to protect my family from "known" concentrated amounts of environmentally created pathogens . That have been proven time and again scientifically. Also the fact that the county is deferring to the old adage of.."it's always been done and accepted this way"...therefore it must be correct, defies logic in this modern time.

I demand that "this" message in it's "full and original form"be entered into the public record. NOT the frivolously misleading recreation of the conversation I had with the county representative, Mr Conger.The content of most of what was discussed was taken out of context. Perhaps is was in part my fault, perhaps not.The items that I mentioned (i.e) the gas station like structure, operating of a business before any permits for any sort of building had been issued, were discussed in conjunction with and as part of our immediate concerns with regard to our health. Not as stand alone grievances, that on the surface, sound extremely petty. I do not appreciate the context in which my language was used in the comment section and to how the subjects I brought to the county were misapplied.

P.S neither of my daughters will be attending the hearing. after reading the comment and response notes,Both feel the "County powers that be" have

already made up their mind. They both feel their testimony won't fall on deaf ears in another sort of legal venue. The consequences of allowing the horses in such close proximity to our home is so obvious, this really should have never been at issue... Yet it is.

Richard Howard

On Friday, June 28, 2024 at 05:02:16 PM PDT, Conger, Michael <michael.conger@ventura.org> wrote:

Good afternoon –

This is a reminder that the hearing for CUP / PD Permit was continued to **Wednesday, July 3, 2024,** at **11:00 am** on the Zoom platform. Here is the meeting information:

<https://ventura-org-rma.zoom.us/j/87473804177>

Meeting ID: 874 7380 4177

Passcode: 590511

Dial in: (669) 900-9128 or (669) 444-9171

Planning Division staff has prepared a memorandum addressing the comments received and recommending modifications to three of the conditions of approval. You can access that memorandum on this webpage:

<https://vcrma.org/en/planning-director-hearing-agendas>

Regards,
--Michael

Michael T. Conger, AICP | Senior Planner

Michael.Conger@Ventura.org

Ventura County Resource Management Agency

Planning Division

P. (805) 654-5038 | F. (805) 654-2509

800 S. Victoria Ave., L #1740 | Ventura, CA 93009-1740

Visit our website at vcrma.org

For online permits and property information, visit [VC Citizen Access](#)



COUNTY of VENTURA
Resource Management Agency

From: [Yve Dina](#)
To: [Conger, Michael](#)
Subject: Re: case number pl23-0009
Date: Thursday, June 20, 2024 10:02:06 AM
Attachments: [image001.png](#)

WARNING: If you believe this message may be malicious use the Phish Alert Button to report it or forward the message to Email.Security@ventura.org.

I just received a call from one of my daughters with regard to the space between our home and the horse pens. I'm requesting a 400 foot buffer.

Thank you.

On Thursday, June 20, 2024 at 09:45:56 AM PDT, Yve Dina <[REDACTED]> wrote:

She can be allowed to obtain building permits (under your jurisdiction) ANYWHERE on her 217,000 square feet..But for some reason you've decided only the area the illegally built buildings are on NOW will suffice? You office is specifically in charge of where and what the buildings/structures use is for. What is the problem with granting the stucture permit with ANOTHER use?

On Thursday, June 20, 2024 at 09:39:37 AM PDT, Yve Dina <[REDACTED]> wrote:

In your previous letter to us you specifically stated that you do have discretionary power in this sort of permit process to be able to imposed special requirements for permit approval...Now you are stating you dont?

On Thursday, June 20, 2024 at 09:03:24 AM PDT, Conger, Michael <michael.conger@ventura.org> wrote:

Thank you for the information. I understand your request is that any animal keeping/husbandry facilities or operations be kept a minimum of 250 ft. from off-site residences. 40 ft. is the ordinance requirement. We do have discretion to increase this distance as part of the CUP approval.

As I mentioned in previous emails, the applicant will be required to submit a manure management plan for approval by Public Works and will be required to maintain the facility in a manner that does not create a vector issue. If there are any recommendations for controlling the spread of the diseases you referenced, those can be considered as well.

Thanks,
--Michael

Michael T. Conger, AICP | Senior Planner
Michael.Conger@Ventura.org

From: [Conger, Michael](#)
To: [Yve Dina](#)
Subject: RE: case number pl23-0009
Date: Thursday, June 20, 2024 9:42:00 AM
Attachments: [image001.png](#)

I'm stating that we do have discretion on the issue of distance of animal keeping/husbandry facilities as part of the CUP. If you'd like to discuss this by phone, please call: (805) 654-5038.

Michael T. Conger, AICP | Senior Planner
Michael.Conger@Ventura.org



From: Yve Dina <[REDACTED]>
Sent: Thursday, June 20, 2024 9:40 AM
To: Conger, Michael <Michael.Conger@ventura.org>
Subject: Re: case number pl23-0009

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In your previous letter to us you specifically stated that you do have discretionary power in this sort of permit process to be able to imposed special requirements for permit approval...Now you are stating you dont?

On Thursday, June 20, 2024 at 09:03:24 AM PDT, Conger, Michael <michael.conger@ventura.org> wrote:

Thank you for the information. I understand your request is that any animal keeping/husbandry facilities or operations be kept a minimum of 250 ft. from off-site residences. 40 ft. is the ordinance requirement. We do have discretion to increase this distance as part of the CUP approval.

As I mentioned in previous emails, the applicant will be required to submit a manure management plan for approval by Public Works and will be required to maintain the facility in a manner that does not create a vector issue. If there are any recommendations for controlling the spread of the diseases you referenced, those can be considered as well.

Thanks,

--Michael

Michael T. Conger, AICP | Senior Planner

Michael.Conger@Ventura.org



From: Yve Dina <[REDACTED]>
Sent: Thursday, June 20, 2024 8:11 AM
To: Conger, Michael <Michael.Conger@ventura.org>
Subject: case number pl23-0009

WARNING: If you believe this message may be malicious use the Phish Alert Button to report it or forward the message to Email.Security@ventura.org.

Here are but a few airborne diseases cause by exposure to animal feces and urine. I was told about these diseases by both my Veterinarian daughter who is a a VMD (Dr. Cierra Howard) and my other daughter who is a partner and managing physician at Kaiser hospitals. (DR. Austin Howard.)She is also the co owner of the property. I am also reminding you myself and my wife and mother are ALL seniors. we are susceptible to the viruses you appear to be intent to unleash on us listed below.

- Viruses

Avian influenza A, Newcastle disease, swine fever, hepatitis E, and porcine reproductive and respiratory syndrome (PRRSV)

- Bacteria

- E. coli and other fecal coliforms, which can cause stomach cramps, nausea, vomiting, diarrhea, and fever

- Fungi

- Histoplasmosis, caused by the fungus Histoplasma capsulatum, which lives in soil contaminated with bird or bat droppings

- When dried fecal particles are disturbed by air flow or animal activity, the microorganisms in feces can become airborne. Humans can be infected by breathing in the spores or by coming into contact with the feces, urine, or saliva of infected animals

Cryptosporidiosis, Hookworm infection, Hydatid disease, Yersiniosis, Psittacosis (birds), Hantavirus, Leptospirosis, Rat bite fever, and Salmonellosis.

There are many additional zoonotic diseases that can be transmitted by animal feces, including E. coli infection, cryptosporidiosis, hookworm infection, hydatid disease, yersiniosis, and psittacosis (birds —by inhalation)

- And these disease is what your planning department is planning to unleash and expose a house full of seniors and grandchildren to with only a mere forty feet between them? Her plan calls for the stables,pens,shade stations,watering station with all the associated fungi, bacteria,etc..etc.. to be well within an extremely short distance of our retirement home..
-
- Do you not consider, even for a moment there are human beings involved in you "PLANNING"? What is this really all about?

From: L [REDACTED] A [REDACTED]
To: [Conger, Michael](#)
Subject: Case #PL23-0009
Date: Wednesday, June 19, 2024 3:32:20 PM

WARNING: If you believe this message may be malicious use the Phish Alert Button to report it or forward the message to Email.Security@ventura.org.

To whom it may concern,

I have been a patient and client as well as friend of Keeley Mircetic's for several years.

She is a Professional we hired to exhibit our equine athlete, only after thorough exam of not only her abilities and capabilities, but of her caretaking of her property as well as other equines under her care.

She keeps immaculate care of her property, arena, horse pens and all areas of her property to ensure all who visit can enjoy and appreciate.

All horse areas are cleaned at least twice a day if not more often, even the arena when just one horse leaves a manure pile!

They provide a system that minimizes the fly population not only for the health of the humans but for the horse's care as well.

Every neighbor I have ever spoken to has nothing but compliments about Keeley and Mario and appreciates the improvements they have made to their property which is an added benefit as well to the neighborhood!

Everything that has been asked of them has been done and it's sad to say the least that one person, who doesn't even live nearby or in Ventura County, could have the ability to cause such grief.

In hopes you will expedite your process so that this couple can move forward would be greatly appreciated as they are so very deserving.

Sincerely,

L [REDACTED] A [REDACTED]

Sent from my iPhone

From: G S [REDACTED]
To: [Conger, Michael](#)
Subject: Case #PL23-0009 comment
Date: Wednesday, June 19, 2024 3:26:39 PM

WARNING: If you believe this message may be malicious use the Phish Alert Button to report it or forward the message to Email.Security@ventura.org.

To whom it may concern,

I have known Keeley Mircetic and Mario Gargiulo for several years now as a client and as friends. They are both kind and generous people who take impeccable care of their property and the horses there. While they have been navigating the permit process for their property, they have cleaned it up, planted it extensively, and it looks beautiful. I have been on the property extensively and I have never noticed trash, flies, or odors as any kind of problem. It is their home, not just a horse facility, and it shows. If only everyone had the pride of ownership they do. Additionally, they have developed solid friendships with neighbors which positively reflects on how they treat people. Their business is developed by word of mouth from people who are happy to be in their circle. Keeley's kind heart is further evidence by her profession as a physical therapist where she treats home-bound patients who are generally elderly. It is unfortunate that one individual, who is not even a resident of Ojai (or even Ventura county for that matter) has targeted this young couple. In closing, I can say unequivocally that I wish I had Keeley and Mario as my neighbors.

Thank you,

G S [REDACTED]

From: [Diana Luboff](#)
To: [Conger, Michael](#)
Cc: [Tony Luboff](#)
Subject: Case number PL23-0009
Date: Wednesday, June 19, 2024 1:37:30 PM

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Hello Michael,

We are writing to you in support of Keeley Mircetic. We have no objections to the conditional use permit or planned development permit that is being issued retroactively. We live in a rural area and expect garages, animal barns and horses to be a part of the life style here.

In the 37 years we have lived on our property Keeley and her partner Mario are the most pleasant and peaceful neighbors to have owned that piece of property. The horses are extremely well cared for. The corrals are cleaned twice a day and the manure is hauled off in an EJ Harrison dumpster every week.

We know that one property owner adjacent to Keeley's property has made a lot of complaints regarding the horses and the existing buildings. You are certainly aware that his property is bare land due to the Thomas Fire and it was purchased more than a year after Keeley purchased her property.

We are looking forward to a building permit being issued so Keeley can build her home on her property.

Thank you,

Diana and Tony Luboff
[REDACTED] Topa Vista Road
Santa Paula

From: [Kelly Brown](#)
To: [Conger, Michael](#)
Subject: Case # PL23-0009
Date: Wednesday, June 19, 2024 1:03:33 PM

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Writing on behalf of Mario and Keeley . I'm a neighbor close by . Met them when they purchased the property couple of years ago . The property was basically abandoned after the home burnt during the Thomas fire . Old owners moved , and it was quite a mess . Mario and Keeley have worked so hard to bring it back to life . I have seen it transform into a nice piece of property. Like it originally was . I personally have only great things to say about the couple . We are a close little community in upper ojai , that would help a neighbor in need at the drop of a hat . And that's how they role . Unfortunate that they are even dealing with this , please consider helping them through this matter . So they can simply move on with their lives . Thank you in advance .

Kelly Brown
West Area Supervisor


From: [Aja](#)
To: [Conger, Michael](#)
Subject: Case # PL23-0009
Date: Wednesday, June 19, 2024 10:54:14 AM

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Hello,

I am writing to express my full support for my neighbors Mario and Keeley and their case # PL23-0009. I can honestly say they are the kindest most thoughtful neighbors I have ever had. I hope they will receive the permits to build a home on their land. They make this neighborhood better in every way and keep their horse property extremely clean. Please grant them their permits so we can continue to have wonderful neighbors.

Sincerely,
Aja Bulla-Richards

From: [Adam Zamastil](#)
To: [Conger, Michael](#)
Subject: CASE# PL23-0009 Mario & Keeley
Date: Wednesday, June 19, 2024 10:29:39 AM

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Dear Michael,

I'm writing you today in support of our wonderful neighbors Mario and Keeley for their county permits. We have been Mario and Keeley's neighbors for over 2 years and hold them in the highest regard. They are the ideal neighbors who embody what I consider a healthy and supporting community. I've worked with horses and mules for over 20 years and believe Mario and Keeley operate their property and horses as well as I've ever experienced. Beyond the cleanliness, respect, and courtesy they conduct themselves with towards all our neighbors, they also give tremendous care to the animals.

Please consider my highest praise and gratitude for Mario and Keeley in rebuilding all that was lost to the Thomas Fire. I only wish all our neighbors had the same courtesy and respect for the land, their animals, and neighbors that Mario and Keeley do.

With gratitude,
Adam Zamastil



Ojai Rd, Ojai, CA 93023

From: [Yve Dina](#)
To: [Conger, Michael](#)
Subject: RE: Case no.PL23-0009
Date: Wednesday, June 19, 2024 1:46:59 AM
Attachments: [image002.png](#)
[image003.png](#)
[image001.png](#)

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With regard to her metal building

[Yahoo Mail: Search, Organize, Conquer](#)

On Wed, Jun 19, 2024 at 1:19 AM, Yve Dina

<[REDACTED]> wrote:

One more thing Sir...if you believe that this owner will respect the surrounding neighborhood if granted this exception she seeks,,guess again.You are encouraging and emboldening her. Last week it was necessary I call the sheriff's department because this person is now claiming a large part of my land as part of her ranch...she's decided a large part of my land is her parking lot for her workers. But rather than argue, with this bigot...Now I must bear the expense of getting yet another survey,even though I just paid for one about a year ago.

With regard to the designated access road. I was told by the neighbor(another senior living here about forty years) that is apprehensive about approaching the property owner requesting this hearing,the green road is his road. He doesn't want her trucks and trailers parking or blocking it.The yellow road is her property.Why is his road now hers? The previous owners were close friends of his so he gave them permission to use the road. The new owners are not.

[Yahoo Mail: Search, Organize, Conquer](#)

From: [Yve Dina](#)
To: [Conger, Michael](#)
Subject: RE: Case no.PL23-0009
Date: Wednesday, June 19, 2024 12:57:44 AM
Attachments: [image003.png](#)
[image001.png](#)
[image002.png](#)

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In reference to your reply...thank you for the response. As per the business...they have been boarding horses and training riders for years now. Please correct me if I am wrong but do you not have to have a legal building/residence on a property to be able to run a business? (#2) In reference to the "gas station like structure...I was referring to the open gasoline pump bay like structure.(3) How is it the county appears to be rewarding blatant disregard for the law and building codes with regard to proximity of buildings to wetlands/ etc.etc.The property owners relatives owned this property before it was purchased by the present owners. They were fully aware the existing structures were illegal upon purchasing the place. This was no surprise to them. Yet it appears (even though they started to build new footings and foundation for a new house with no permits),again they are being rewarded for disregard for laws.Their structures are taller and much larger than the house will ever be. Yet you are using a"what about isim" when you compare a completely legal metal building that was only allowed to be built by the neighbor after he was told by county planning it was necessary that he purchase a completely separate lot to build a structure of that size for his use. How many laws must be broken before that party has broken too many? Your response to me sounded as if you were that party's advocate instead of a im partial judge. As per the enormous gates...Again please correct me if I am wrong...building large structural gates (especially without permits),that close to power lines that supply an entire region,in case of an earthquake doesn't seem like a reasonable risk.,not to mention,they do(along with the fencing, block wildlife.

It wasn't lost on me that in (what appeared to be) your defence of that property owner's cause, you did not address the traffic congestion ,blocking and parking created by this property value destroying enterprise. Non of us want to live in a city. I knew this ridiculous hearing was going to take place and I was betting these wealthy property speculators were going to get their way. I've had 5 potential buyers for my property flatly turn me down because of the stench (you only addressed the manure)and fail to realize most of the smell comes from condensed urine. I never said there were more than the legal amount of horses. . They own five acres. They are not breaking the actual law. However they are NOT following the spirit of the law. The two horse per acre law did not mean you were allowed to bunch up ten or eleven horses with in 60 feet of my home. Where people eat sleep and are meant to have peaceful quiet enjoyment of their property. Not having a constant fight off hoards of filthy flies and other vermin due to the over population of livestock in one area. We were told by the property owners BEFORE they moved one horse onto the property" we can either sell them our land outright, or pay the twenty seven thousand dollars for the to NOT put their TEN horses next to the only place on our property that the county will allow us to build our retirement home. I can only assume by your word of her defence,you've never lived next to livestock before. In your response you were mansplaining about different types of rural buildings.....I'm Oklahoma raised. I know rural very well.

It is very clear that you and the planning department intend on facilitating that property owner's outright racist scheme to stop the only black family in the area from building and

moving next door to them.

I have never said a word to that property owner in my life, yet she saw fit to tell a nice young lady that works in planning department... "that black guy that owns the property next to me is very aggressive". End quote. Seems I've heard those words before a few times in my almost seventy years on this planet.

This will end in federal court.

[Yahoo Mail: Search, Organize, Conquer](#)

On Tue, Jun 18, 2024 at 3:58 PM, Conger, Michael
<Michael.Conger@ventura.org> wrote:

Good afternoon –

We are holding a public hearing Thursday morning via Zoom at 10:00 regarding this CUP / PD Permit. You're welcome to attend (meeting invitation information provided below). You are not required to disclose your name or address when submitting comments or speaking at the hearing.

To clarify, you are not being asked to sign-off on the project. The hearing is being held to solicit public input on the proposal. The decision to approve or deny the project rests with the Planning Director. The Planning Director will consider all written and oral testimony received prior to and at the hearing before making a decision. If a party is unhappy with the Planning Director's decision, it can be appealed to the Planning Commission, and the Commission's decision can be appealed up to the Board of Supervisors. You can review the [staff report](#) (see Section E) to see staff's rationale for why we recommending that the Planning Director grant the permit, subject to the conditions of approval in Exhibit 4.

I can confirm that there was a soils report prepared. It is included as Exhibit 7 to the staff report. The applicant will need to work with Building and Safety to permit the structure under the current building code. This includes ensuring the recommendations of the soils engineer have been met. We have no information in the record to suggest that there would be any geologic instability or that the building would block a creek.

I can also confirm that the structures are not located in wetlands. Five of the structures under this permit are located in what we term a "surface water feature," which includes all areas within 200 ft. of wetlands. The closest structure is 100 ft. from wetlands. Additionally, the fencing standards for the Habitat Connectivity and Wildlife Corridor (HCWC) overlay zone do not apply to the project because it is zoned Rural Exclusive (RE). Nonetheless, we have observed that only the western and southern fences are considered "wildlife impermeable," and they do not form an impermeable enclosure.

You raised a few issues that I am hoping to gain a better understanding of:

1. Is the large gate you're referring to the one at the front entrance shown in this picture?:



If so, which ordinances or guidelines do you believe this violates?

2. Is the easement you're referencing the one shown in orange or the one shown in green in the image below?:



The designated access associated with these permits would be the one in green.

3. You reference odors from “concentrated livestock.” Our records show that they have 10 horses on the site. Do you believe they have more animals than this on the site?

Ten horses is consistent with what is allowable on a parcel of this size in this zone. They are actually allowed up to 11.8 animal units, which means they could have an 11th full-size horse plus up to two smaller horses. At that point, they would be at their maximum allowance for animals. The project is conditioned to require a manure management plan (Condition No. 31) and to manage the animal waste so there is not a vector issue (Condition No. 25).

4. You reference the operation of a business at the site. We are not aware of a business operating there. Do you know what type of business and what types of activities take place?

Depending on the type of business, it may either be prohibited, exempt from permitting, subject to business license clearance, or require Conditional Use Permit approval.

5. When you reference the type of structure that is used at gas stations, are you referring to the garage at the southeast corner of the parcel that was constructed without permits around 2007?

It is quite common for people in the rural parts of the county to use metal buildings for garages and barns. We do not have any specific design provisions that would prohibit this. In fact, a similar, structure (nearly twice the size of the garage) exists on a neighboring parcel. Are there any recommendations you have for modification to the structure to make it more aesthetically pleasing? Or is your position that it should be demolished?

You raised several issues which appear to be civil or criminal issues more than they are land use issues, e.g., bullying, trespassing, and blocking easements. You can contact the Sheriff to see if they can address this from a criminal standpoint or you can work with an attorney to pursue the matter in civil court. We have no way of controlling this through the land use permit approval process.

We'll include your email in the record for the Planning Director's consideration. If you'd like to discuss anything further, you can reach me at (805) 654-5038.

Meeting information:

RMA Planning is inviting you to a scheduled Zoom meeting.

Topic: Hearing for CUP / PD Permit No. PL23-0009 (Mircetic)

Time: Jun 20, 2024 10:00 AM Pacific Time (US and Canada)

Join Zoom Meeting

<https://ventura-org-rma.zoom.us/j/87473804177?pwd=IgVr8qbaRM64JWZXm36laBSzcbUgYd.1>

Meeting ID: 874 7380 4177

Passcode: 590511

One tap mobile

+16699009128,,87473804177#,,, *590511# US (San Jose)

+16694449171,,87473804177#,,, *590511# US

Dial by your location

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- +1 669 444 9171 US
- +1 719 359 4580 US
- +1 253 205 0468 US
- +1 253 215 8782 US (Tacoma)
- +1 346 248 7799 US (Houston)
- +1 689 278 1000 US
- +1 301 715 8592 US (Washington DC)
- +1 305 224 1968 US
- +1 309 205 3325 US
- +1 312 626 6799 US (Chicago)
- +1 360 209 5623 US
- +1 386 347 5053 US
- +1 507 473 4847 US
- +1 564 217 2000 US
- +1 646 558 8656 US (New York)

• +1 646 931 3860 US

Meeting ID: 874 7380 4177

Passcode: 590511

Find your local number: <https://ventura-org-rma.zoom.us/j/kex4oiAeVk>

Thanks,

--Michael

Michael T. Conger, AICP | Senior Planner

Michael.Conger@Ventura.org



From: Yve Dina <[REDACTED]>
Sent: Tuesday, June 18, 2024 12:35 PM
To: Conger, Michael <Michael.Conger@ventura.org>
Subject: Case no.PL23-0009

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This is a "FULL throat-ed Objection" to ALL proposed and asked for with regard to this case! I

know that I can confidently state, mostly ALL that move to this section of the Ojai/Santa Paula area have thought about,dreamed ,about, and wished for the quiet order of this area that has only been achieved through the diligence and non- partisanship of all duly-appointed authorities faithfully following the rules with regards to building,lighting,businesses,zoning, fencing,etc. I am and have been ecstatic whenever I drive to my area as to it's calm and continuity that always greets me.....with one exception.

All of the properties on and around Topavista rd, appear to have followed all building and code, guidelines and just common sense neighborliness set forth by the powers that be except.... 11820 Topavista. None of us have erected large gates so that the natural wildlife can freely migrate,etc except 11820. They've erected a monument to self appointed entitlement and selfishness,NONE of which even remotely follows guidelines set down by the state or the county for this area. They've gone about erecting whatever they please to sizes and dimensions above and beyond with no regard for the general feel ,design ,and much less what the "LAW" or anything else requires. NOW they want all surrounding, to give our blessings to create further havoc that will change the existing dynamics of what we've worked hard to be able to come home to everyday. Visitors in delivery truck,trailers and cars parking on and blocking private roads. (The one that is being used for deliveries etc of the property owner of 11820 does not legally have access to in the first place. This property owner is basically bullying the actual "Senior Citizen Owners" to trespass without so much as a thought to ask permission. Sometimes its a mess up here. The smells from the concentrated livestock urine alone permeates the surrounding properties.Which in turn will make it impossible to sell the properties if the Planning Division grants/approves this affront to our respective lives. The property values will immediately nose dive!~

This sort of thing will make life here miserable. And for what? So a selfish person can make a buck?? I would have never left the city if it weren't for the constant barrage of people just not following the rules....and worse..the authorities not enforcing them. When I was going through the permitting process, like the soils sampling etc...,I completely understood why they require the ground be double and sometimes triple tested. I also understand as to why you just can not allow anyone to simply build as they choose on the wetlands. Our ecosystems are incredibly fragile and under attack on a constant basis.. Not to mention,the giant metal building on the property at 11820 has been built on a NON-COMPACTED DOWN HILL SLOPE! With no soil reports, grading reports this will happen and it WILL block the "Natural" creek on more than one property.

One of the structures that you are requesting be retroactively be permitted is the exact structure erected at gas stations in the city.. It would have never been approved if plan check had a chance to get a look at it BEFORE it was built.The more I write about the audacity of this ridiculous proposal, the angrier I feel. This property owner has been operating an (on site) business for years,and no person of authority ask stopped them. They are operating this business as I type this letter for christ sake!. Everything that you are requesting we "sign off on " is illegal. Heck I wanted to build a giant ponderosa type gate and fencing for my property like they illegally have on theirs ,but was told unequivocally and resoundingly" HECK NO"!

I, (as many others have) gladly abide by and accept the rules. Why these people believe they dont have to follow the rules and LAW, is crazy.

Please do not ruin it for the rest of us. I don't wish to spend the next two years in court fighting this. And neither do the neighbors that I've spoken to. If it is mandatory that I put my address and name on this correspondence please quickly inform me. I looked but could not find anywhere on the page it was necessary.