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ARTHUR F. H. WRIGHT, DEPUTY
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HERMAN ALLEN, DEPUTY
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OFFICE OF
CITY ATTORNEY
CITY HALL
SAN DIEGO, CALIFORNIA

June 25, 1926.

To the Honorable, the Mayor and Common Council,
Of the City of San Diego, California.

Gentlemen:

Herewith I submit copy of letter written to the Directors of the Bishop School in compliance with Resolution No. 37927 directing the City Attorney to notify the Bishop's School, La Jolla, California, to remove its stable out of Zone "A" and also copy of answer received from their attorney refusing to comply with the notice given.

As it is necessary to have a Resolution directing the City Attorney to proceed to abate this stable as a nuisance, I respectfully suggest that such Resolution be passed.

Respectfully submitted,

Herman Allen

Deputy City Attorney.

HA/EM

June 14, 1926.

Directors of The Bishop School,
La Jolla, Calif.

Gentlemen:

The petition filed with the City Clerk of the City of San Diego under Document No. 190036, discloses the following facts:

That the Bishop School of La Jolla now maintains a horse stable on Lots 3 and 4, Block 13, F. T. Scripps Addition to La Jolla Park;

That said Directors of said school have recently procured a building permit from the City Building Department to improve and remodel said stable;

That this stable is located in what is known as Zone A under the provisions of Ordinance No. 9625 which ordinance also provides that after the date of taking effect of the same, which was on September 2, 1924, no building, structure or improvement shall be erected, constructed, established, altered or enlarged in Zone A, which is designed, arranged or intended to be occupied or used for any purpose other than a single family dwelling.

By reason of the above facts set forth in the petition filed with the City Council of the City of San Diego, I am directed to notify you that the Directors of The Bishop School of La Jolla should take immediate steps to remove the stables out of Zone A, as above set forth, on the grounds and for the reason that the same is in violation of Ordinance No. 9625.

I trust that you will immediately take steps to comply with this request and avoid the necessity of this office being compelled to enforce the provisions of this ordinance through legal procedure.

Yours very truly,

HERMAN ALLEN

HA/EM

Deputy City Attorney

Haines & Haines,
Attorneys at Law

727-729 Electric Building
San Diego, California

June 16, 1926.

Herman Allen, Esq.,
Deputy City Attorney,
City Hall,
San Diego, California.

Dear Sir:

As counsel for The Bishop's Schools upon the Scripps Foundation, I am requested to reply to a communication addressed by you under date of June 14, 1926, to the Trustees of said corporation, therein referred to as the "Directors of the Bishop School", wherein you require the removal from Zone A of a horse stable now maintained by said institution.

The said stable was erected long before the passage of the zoning ordinance quoted in your letter, and its maintenance is, therefore, not forbidden by the terms of said ordinance, nor would it be competent for the city under color of a zoning ordinance to make its maintenance unlawful. No enlargement of the said structure has been contemplated at all, nor has permission been asked for any alteration, except only to facilitate observance of the sanitary requirements of the city ordinances themselves.

In behalf of the said institution, therefore, I am directed to advise your office that it definitely declines and refuses to remove the said stable.

Very truly yours,

CHARLES C. HAINES

CCH/M

DOCUMENT No. 191059

Filed JUN 26 1926

ALLIEN H. WRIGHT
City Clerk

By FRED W. SICK
Deputy

COMMUNICATION

FROM

City Attorney submitting
communications relative to
the Bishop's School

*Spec Conf. 2 pm
day July 6*

JUN 28 1926