

Scott Korthuis  
Mayor, City of Lynden  
300 4th Street  
Lynden, WA 98264

Re. Parking in my driveway

October 15, 2020

Dear Mayor Korthuis and City Council,

I am writing regarding a visit we received from codes enforcement. The code enforcement officer informed us that we were no longer allowed to park cars in our driveway, as they block the sidewalk. I want to make clear that I understand that typically parking a vehicle across a public sidewalk is frowned upon, and furthermore is in violation of Lynden City Ordinance Title 12, Chapter 12.28.010.

As a point of reference, the total distance from the front of our garage to the sidewalk is 10', and with the sidewalk being 5' wide, it is necessary for us to park over the sidewalk.

The reason I am writing this letter is to clarify something I believe supersedes the codes enforcement officer's directive. Our home is located at 301 S 16<sup>th</sup> Street and was constructed, along with our detached garage in 1946. For 74 years the residents of our home, including us, have been parking in the driveway without issue. Our request is that we continue to park in our driveway without the fear of citations from codes enforcement.

The ordinance which is being enforced (Lynden City Ordinance, Title 12, Chapter 12.28.010) was adopted as part of Ord.812 in 1989. That ordinance was enacted and enforceable 47 years after our garage and driveway were built. I believe that the extensive history homeowners at my address using the driveway for parking, well in advance of the current ordinance, lays out a clear precedent which supersedes the current ordinance. Understanding that the City Council is the legislative body and does not enforce current codes. I am requesting that there be a grandfather clause added to the ordinance, as there are existing grandfather clauses already in Chapter 12.28 e.g., 12.28.050. Verbiage regarding such grandfather clause could read similarly to:

*Parking in a private driveway of any residence in which the structure was built prior October 1, 1988 is allowable even though it violates Section 12.28.010 provided, that they do not, in the opinion of the Lynden police department, constitute a traffic safety hazard.*

I appreciate your understanding and look forward to hearing from you soon. If you would like to discuss this matter, please feel free to contact me via phone at 360-410-6007.

Sincerely,



Tim DenBleyker