DISTRICT 5 DRIVEWAY CONNECTION & MODIFICATION PROCESS

Revised 4/11/2018

DRIVEWAY "MODIFICATION" AS DEFINED BY FAC RULE 14-96;

1. Substantial change in the width of a connection
2. Change in the availability of right turn exits or right turn entrances
3. Substantial moving of the location of a connection
4. Moving a connection to a service road
5. Prohibition of the ability to enter or exit a connection (closure)
6. Revocation of a permit

WHY IS THE DEFINITION OF MODIFICATION IMPORTANT?

By law, when a property owner's driveway is modified, they are entitled to

ADMINISTRATIVE HEARING RIGHTS

SCENARIOS OF DRIVEWAY MODIFICATIONS

1. Modification to a driveway on a parcel that will **require acquisition**

2. Modification to a driveway with **no parcel acquisition** and **no impacts** to landowner improvements.

3. Modification to a driveway with **no parcel acquisition**, but there are **impacts** to landowner improvements.

PROCESS FOR IDENTIFICATION OF MODIFICATIONS

- Consultant PM shall put together a driveway package identifying potential driveway modifications. Package includes
  - Spreadsheet identifying location, reason considered modification and whether or not right of way acquisition will take place on the parcel.
  - Pictures of existing driveways
  - Cross-section(s) if available
- FDOT PM will set up meeting with George Borchik and EOR to review recommendations.
- Once concurrence is obtained, Consultant will move forward with process.

1. MODIFICATION TO A DRIVEWAY ON A PARCEL THAT WILL REQUIRE ACQUISITION

- **Action:**

No letters will be sent regarding Notice of Administrative Hearing Rights. Everything will be handled through the normal acquisition process

2. MODIFICATION TO A DRIVEWAY WITH NO PARCEL ACQUISITION AND NO IMPACTS TO LANDOWNER IMPROVEMENTS

- **ACTION:**

STEP 1:

"Notice of Intended Department Action" letter is sent to the property owner notifying them of the change and requesting their input and agreement. It will include the following attachments:

1. Plans showing the proposed changes
2. Copy of "License Agreement"

2. MODIFICATION TO A DRIVEWAY WITH NO PARCEL ACQUISITION AND NO IMPACTS TO LANDOWNER IMPROVEMENTS

- **ACTION (cont):**

STEP 2:

If a signed agreement is obtained, no further action is required

2. MODIFICATION TO A DRIVEWAY WITH NO PARCEL ACQUISITION AND NO IMPACTS TO LANDOWNER IMPROVEMENTS

- **ACTION (cont):**

STEP 3:

If no agreement is reached or no response is received then the **"2nd Notice of Intended Department Action"** letter is sent to the property owner. The following attachments wil be included:

1. Copy of previous notice with License Agreement attached.
2. Notice of Administrative Hearing Rights
3. Construction plans showing the proposed modifications

3. MODIFICATION TO A DRIVEWAY WITH NO PARCEL ACQUISITION, BUT THERE ARE IMPACTS TO LANDOWNER IMPROVEMENTS.

- **Action:**

  We will follow the same process as "No parcel acquisition and no impacts to landowner improvements"

EXAMPLES OF LANDOWNER IMPROVEMENTS

Gates/Fences

Walls

Trees

Lighting

Landscaping

Signs

Irrigation

TIMEFRAME

- Begin addressing after Line & Grade
- 1st letter should be sent as soon as practical but at least 30 days prior to Initial Design Team Meeting.
- Timing between letters approx 30 days
- The intent is to have the 2nd letter sent prior to Initial Plans Review so that all right of way requirements can be identified .
- License Agreements should be obtained prior to Parcel by Parcel meeting

PROPERTY OWNER MEETINGS

- If a meeting is requested by the property owner during the notification process, the following individuals should be in attendance
  - Engineer of Record
  - FDOT Design Project Manager
  - Deputy Right of Way Manager – Valuation Services

GENERAL

- Letters are produced by the Consultant on FDOT letterhead
- Signed by FDOT Project Manager
- All letters will be sent certified mail by the Consultant.
- FDOT Project Manager will sign License Agreement in addition to owner.

GENERAL

- If License Agreement is signed then no need for a 2nd letter of notification.
- Agreements will be given to Construction at the Pass the Torch Meeting.

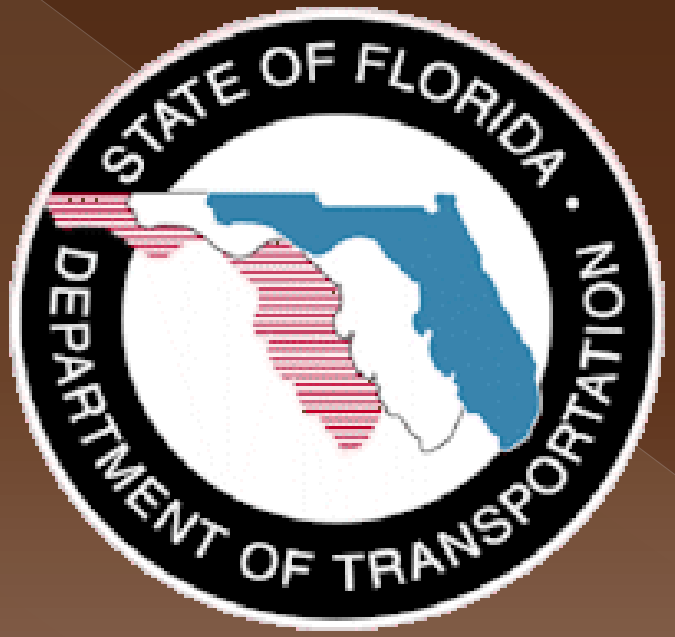
GENERAL

- Additional guidance on the analysis of driveway connections can be found in FDM Chapter 113, Sec 113.2.3 & 113.2.4

DRIVEWAY MODIFICATION PROCESS SUMMARY

- **Acquisition** (Scenario #1)
  - No notification, handle with acquisition

- **No Parcel Acquisition**
  - **No Impacts** (Scenario #2)
  - Handle with Notification Process

  - **Impacts** (Scenario #3)
  - Handle with Notification Process

QUESTIONS?