**District 5 Driveway Modification Process as Defined by Rule 14-96**

The following conditions constitute a Driveway Modification and are the only situations to which this process applies.

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

**Categories of Driveway Modifications with the appropriate action to be taken.**

- Modification to a driveway on a parcel that will require acquisition.
  - **Action:** No notification will be sent regarding Notice of Administrative Hearing Rights. Everything will be handled through the normal acquisition process.
- Modification to a driveway with no parcel acquisition and no impacts to landowner improvements.
  - **Action:** See “Notification Process” below.
- Modification to a driveway with no parcel acquisition, but there are impacts to landowner improvements.
  - **Action:** See “Notification Process” and “Risk Assessment” below.

**Notification Process**

1. “Notice of Intended Department Action” (see attached) is sent to the property owner notifying them of the change and requesting their input and agreement. It will include the following attachments:
   - Plans showing the proposed changes
   - Copy of “License Agreement” (see attached)

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

3. If no agreement is reached or no response is received then the “2nd Notice of Intended Department Action” (see attached) is sent to the property owner. The following attachments will be included:
   - Copy of previous notice with License Agreement attached.
   - Notice of Administrative Hearing Rights (see attached)
   - Construction plans showing the proposed modifications.

4. Timeframe for this notification
   - The first notification letter should be sent out as soon as practical. The intent is to have the 2nd notification letter sent prior to Initial Plans Review so that all right of way requirements can be identified.
   - Timing between letters is approximately 30 days.
   - License Agreements should be obtained prior to Parcel by Parcel meeting.
5. If a meeting is requested by the property owner during the notification process, the following individuals should be in attendance
   - Engineer of Record (EOR)
   - FDOT Design Project Manager
   - Deputy Right of Way Manager – Valuation Services

6. General
   - Letters are on FDOT letterhead
   - Signed by FDOT Project Manager
   - All letters will be sent certified mail
   - FDOT Project Manager will sign License Agreement in addition to owner.
   - Agreements will be given to Construction at the Pass the Torch Meeting.

**Risk Assessment**

   - If there is a Modification, no additional parcel acquisition, there are impacts to other improvements, and the matter has not been settled with a License Agreement, the EOR is to consult with Legal to initiate a risk assessment.