

## **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 “2<sup>nd</sup> 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 2<sup>nd</sup> 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.