

**STATE OF FLORIDA
DIVISION OF ADMINISTRATIVE HEARINGS**

JOHN DADDONO,

Petitioner,

DOAH CASE NO.: 15-4992

DOT CASE NO.: 15-014

vs.

DEPARTMENT OF TRANSPORTATION,

Respondent.

FINAL ORDER

On December 18, 2014, the Department of Transportation (“Department”) issued to John Daddono (“Daddono”) a Notice of Denied Outdoor Advertising Permit Application, regarding Application Nos. 61203 and 61204, for an existing outdoor advertising sign located on a scenic highway. Daddono requested a formal administrative hearing and the matter was referred to the Division of Administrative Hearings. A hearing was conducted before the assigned Administrative Law Judge (“ALJ”), the Honorable E. Gary Early, on February 23, 2016. The ALJ entered a Recommended Order on April 27, 2016, recommending that the Department enter a final order denying Outdoor Advertising Permit Application Nos. 61203 and 61204.

A copy of the Recommended Order, along with a Notice of Scrivener’s Error in the Recommended Order, are attached. No exceptions were filed.

STATEMENT OF THE ISSUE

As stated in the Recommended Order, the issue presented was whether Daddono’s Outdoor Advertising Permit Applications should be denied due to application deficiencies, and because the sign faces are located adjacent to a designated scenic highway.

FINDINGS OF FACT

The Findings of Fact in paragraphs 1 through 47 of the Recommended Order are supported by competent, substantial evidence and are adopted and incorporated as if fully set forth herein.


CONCLUSIONS OF LAW

The Conclusions of Law in paragraphs 48 through 70 of the Recommended Order are fully supported in law, and are adopted and incorporated as if fully set forth herein.

ORDER

Based on the foregoing Findings of Fact and Conclusions of Law, the Department denies Outdoor Advertising Permit Application Nos. 61203 and 61204, in accordance with the December 18, 2014, Notice of Denied Outdoor Advertising Permit Application.

DONE AND ORDERED this 16th day of May, 2016.



JIM BOXOLD
Secretary
Department of Transportation
Haydon Burns Building
605 Suwannee Street
Tallahassee, Florida 32399

FILED D.O.T. CLERK
2016 MAY 16 AM 10:44

NOTICE OF RIGHT TO APPEAL

THIS ORDER CONSTITUTES FINAL AGENCY ACTION AND MAY BE APPEALED BY ANY PARTY PURSUANT TO SECTION 120.68, FLORIDA STATUTES, AND RULES 9.110 AND 9.190, FLORIDA RULES OF APPELLATE PROCEDURE, BY FILING A NOTICE OF APPEAL CONFORMING TO THE REQUIREMENTS OF RULE 9.100(d), FLORIDA RULES OF APPELLATE PROCEDURE, BOTH WITH THE APPROPRIATE DISTRICT COURT OF APPEAL, ACCOMPANIED BY THE APPROPRIATE FILING FEE, AND WITH THE DEPARTMENT'S CLERK OF AGENCY PROCEEDINGS, HAYDON BURNS BUILDING, 605 SUWANNEE STREET, M.S. 58, TALLAHASSEE, FLORIDA 32399-0458, WITHIN THIRTY (30) DAYS OF RENDITION OF THIS ORDER.

Copies furnished to:

HON. E. GARY EARLY

Administrative Law Judge
Division of Administrative Hearings
The DeSoto Building
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