

**STATE OF FLORIDA
DEPARTMENT OF TRANSPORTATION
Haydon Burns Building
605 Suwannee Street
Tallahassee, Florida**

**LAMAR CENTRAL OUTDOOR, LLC,
D/B/A LAMAR OUTDOOR ADVERTISING
OF OCALA,**

Petitioner,

vs.

**DOAH CASE NO.: 18-4979
DOT CASE NO.: 17-065**

DEPARTMENT OF TRANSPORTATION,

Respondent.

_____ /

FINAL ORDER

On November 7, 2017, Lamar Central Outdoor, LLC, d/b/a Lamar Outdoor Advertising of Ocala (Lamar), initiated this proceeding by filing a Request for Administrative Hearing. The request was filed in response to a Notice of Intent to Revoke Sign Permit for Violation (Notice), issued by Respondent, Florida Department of Transportation (Department). On December 1, 2017, the Department issued an amended Notice. On September 17, 2018, this matter was referred to the Florida Division of Administrative Hearings (DOAH), and a hearing was scheduled for January 15, 2019. On December 17, 2018, the parties entered into the attached Stipulation of Settlement, resolving all issues. A Joint Motion to Relinquish Jurisdiction was filed with DOAH on December 19, 2018, and on December 20, 2018, the Order was granted relinquishing jurisdiction to the Department.

FINDINGS OF FACT

1. On September 29, 2017, the Department issued Lamar a Notice of Intent to Revoke Sign Permit for Violation (Notice Number 54779) regarding an outdoor advertising permit number 2120, tag number BS025, for a nonconforming sign had been disassembled or no longer

erect and re-erected at the same location in Columbia County, adjacent to I-10, and is deemed abandoned or discontinued, pursuant to rule 14-10.007(5)(a), Florida Administrative Code.

2. On November 7, 2017, the Department received a Request for Administrative Hearing challenging the Department's Notice. The Request was assigned DOT Case No. 17-065.

3. On December 1, 2017, the Department issued an Amended Notice. In addition, the Department asserts that documentation shows that the Sign has new materials and was rebuilt resulting in the Sign no longer being substantially the same.

4. On September 17, 2018, the matter was referred to the Florida Division of Administrative Hearings and a hearing was scheduled for January 15, 2019.

5. The Department and Lamar have agreed to amicably resolve the issue without the necessity of a hearing, under the terms set forth in the Stipulation of Settlement.

CONCLUSIONS OF LAW

The Department has jurisdiction over the subject matter of and the parties to this proceeding pursuant to Chapters 120 and 479, Florida Statutes, and Chapters 14-10 and 28-106, Florida Administrative Code.

ORDER

Based on the foregoing Findings of Fact and Conclusions of Law, it is

ORDERED that Lamar may continue to maintain the sign until June 30, 2019, and agrees to remove the sign at its own expense. It is further

ORDERED that if Lamar does not remove the sign by June 30, 2019, the Department will remove the sign and will assess all costs of removal against Lamar Central Outdoor, LLC, d/b/a Lamar Outdoor Advertising of Ocala pursuant to section 479.10, Florida Statutes. It is further

ORDERED that the attached Stipulation of Settlement is incorporated into this Order by reference. It is further

ORDERED that Lamar Central Outdoor, LLC, d/b/a Lamar Outdoor Advertising of Ocala's request for administration hearing is **DISMISSED**.

DONE AND ORDERED this 18 day of January, 2019.



ERIK FENNIMAN
Interim Secretary
Department of Transportation
Haydon Burns Building
605 Suwannee Street
Tallahassee, Florida 32399

FILED D.O.T. CLERK
2019 JAN 18 PM 1:36

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 9.110(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 30 DAYS OF RENDITION OF THIS ORDER.

Copies furnished to:

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