

STATE OF FLORIDA  
DEPARTMENT OF TRANSPORTATION

ONEL, LLC, A FLORIDA LIMITED LIABILITY  
COMPANY, AND HOLIDAY RV'S KEYS, LLC,  
A FLORIDA LIMITED LIABILITY COMPANY,

Petitioners,

v.

DOT Case No. 21-050  
DOAH Case No. 22-0018

FLORIDA DEPARTMENT OF  
TRANSPORTATION,

Respondent.

FINAL ORDER

Petitioners' challenge to the Department's notice of its intent to modify Petitioners' driveway connection to State Road 5 was referred to the Division of Administrative Hearings. Because Petitioners' challenge was untimely, the assigned Administrative Law Judge, The Honorable Francine M. Ffolkes, entered an order recommending dismissal. The Department remanded the case for the limited purpose of determining whether equitable tolling applied. The ALJ accepted the limited remand and convened an evidentiary hearing. After the evidentiary hearing, the ALJ entered a recommended order (attached) finding that Petitioners had not established that equitable tolling applied and recommending dismissal. Neither party filed exceptions.

Findings of Fact

The Department adopts the Findings of Fact in the Recommended Order on Limited Remand and incorporates them by reference.

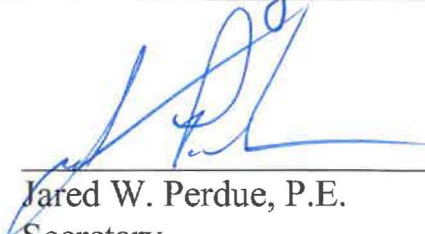
Conclusions of Law

The Department adopts the Conclusions of Law in the Recommended Order on Limited Remand and incorporates them by reference.

Order

It is hereby ORDERED that Petitioner's amended and initial petitions, and request for mediation, are dismissed with prejudice.

DONE and ORDERED this 27<sup>th</sup> day of July, 2022.



Jared W. Perdue, P.E.  
Secretary  
Florida Department of Transportation  
Haydon Burns Building  
605 Suwannee Street  
Tallahassee, Florida 32399

FILED D.O.T. CLERK  
2022 JUL 27 PM 2:14

**NOTICE OF RIGHT TO APPEAL**

**THIS ORDER CONSTITUTES FINAL AGENCY ACTION AND MAY BE APPEALED 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, MS 58, TALLAHASSEE, FLORIDA 32399-0458, WITHIN 30 DAYS OF RENDITION OF THIS ORDER.**

Copies furnished to:

The Honorable Francine M. Ffolkes  
Administrative Law Judge  
Division of Administrative Hearings  
The DeSoto Building  
1230 Apalachee Parkway  
Tallahassee, Florida 32399-3060

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