

PROPOSED STATE HIGHWAY ACCESS DRIVEWAY/CONNECTION NOTICE OF INTENT TO DENY PERMIT

You have 21 days from the receipt of this letter to challenge this decision.
See PART 4: "APPEAL PROCEDURE" for details.
This Denial becomes final in 21 days unless you file a challenge.

Pursuant to Section 335.184 Florida Statutes, an applicant whose permit has been denied may, within 7 days after the receipt of notification of such denial, request a meeting with department personnel to determine whether any means exist by which the reasons for denial of a permit may be mitigated so that the permit may be issued. Upon the timely receipt of a written request for such meeting, the appropriate department personnel shall meet with the applicant to attempt such mitigation. However, requesting such a meeting does not stop the 21-day time period to challenge the decision through the appeal procedure.

PART 1: APPLICANT INFORMATION

APPLICATION NUMBER: _____

Project Name: _____

State Road Name/Number: _____

Section Number: _____

Maintenance Office: _____
Permit Staff Representative

Applicant: _____

Responsible Office: _____

Mailing Address: _____

Telephone: _____

PART 2: NOTICE OF INTENT TO DENY PERMIT

YOU ARE HEREBY ADVISED:

The Florida Department of Transportation has completed its review of the subject connection permit Application for consistency with Rule Chapters 14-96 and 14-97, F.A.C., and current Department spacing, location, and design criteria and hereby issues this "Notice of Intent" to deny the subject Permit Application for the reasons as stated in PART 3:
REASONS FOR DENIAL:

DENYING OFFICIAL'S SIGNATURE: _____

PRINTED OR TYPED NAME: _____

TITLE: _____

DATE: _____

If you have any questions, please contact: _____ (Name) _____ (Phone)

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STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION
PROPOSED STATE HIGHWAY ACCESS DRIVEWAY/CONNECTION
NOTICE OF INTENT TO DENY PERMIT

PART 3: REASONS FOR DENIAL

SEE ATTACHED LIST OF REASONS BELOW:

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**PROPOSED STATE HIGHWAY ACCESS DRIVEWAY/CONNECTION
NOTICE OF INTENT TO DENY PERMIT****PART 4: APPEAL PROCEDURES**

You may petition for an administrative hearing pursuant to sections 120.569 and 120.57, Florida Statutes. If you dispute the facts stated in the foregoing Notice of Intended Department Action (hereinafter Notice), you may petition for a formal administrative hearing pursuant to section 120.57(1), Florida Statutes. If you agree with the facts stated in the Notice, you may petition for an informal administrative hearing pursuant to section 120.57(2), Florida Statutes. You must file the petition with:

Clerk of Agency Proceedings
Department of Transportation
Haydon Burns Building
605 Suwannee Street, M.S. 58
Tallahassee, Florida 32399-0458

The petition for an administrative hearing must conform to the requirements of Rule 28-106.201(2) or Rule 28-106.301(2), Florida Administrative Code, and be filed with the Clerk of Agency Proceedings by 5:00 p.m. no later than 21 days after you received the Notice. The petition must include a copy of the Notice, be legible, on 8 1/2 by 11 inch white paper, and contain:

1. Your name, address, telephone number, any Department of Transportation identifying number on the Notice, if known, the name and identification number of each agency affected, if known, and the name, address, and telephone number of your representative, if any, which shall be the address for service purposes during the course of the proceeding.
2. An explanation of how your substantial interests will be affected by the action described in the Notice;
3. A statement of when and how you received the Notice;
4. A statement of all disputed issues of material fact. If there are none, you must so indicate;
5. A concise statement of the ultimate facts alleged, including the specific facts you contend warrant reversal or modification of the agency's proposed action, as well as an explanation of how the alleged facts relate to the specific rules and statutes you contend require reversal or modification of the agency's proposed action;
6. A statement of the relief sought, stating precisely the desired action you wish the agency to take in respect to the agency's proposed action.

If there are disputed issues of material fact a formal hearing will be held, where you may present evidence and argument on all issues involved and conduct cross-examination. If there are no disputed issues of material fact an informal hearing will be held, where you may present evidence or a written statement for consideration by the Department.

Mediation, pursuant to section 120.573, Florida Statutes, may be available if agreed to by all parties, and on such terms as may be agreed upon by all parties. The right to an administrative hearing is not affected when mediation does not result in a settlement.

Your petition for an administrative hearing shall be dismissed if it is not in substantial compliance with the above requirements of Rule 28-106.201(2) or Rule 28-106.301(2), Florida Administrative Code. If you fail to timely file your petition in accordance with the above requirements, you will have waived your right to have the intended action reviewed pursuant to chapter 120, Florida Statutes, and the action set forth in the Notice shall be conclusive and final.

End