

ORDINANCE NO. 3318

AN ORDINANCE VACATING AND ABANDONING AN UNIMPROVED PORTION OF FAIRY AVENUE NORTH OF W 13TH STREET, EAST OF LISENBY AVENUE, WEST OF FAIRLAND AVENUE, AND SPLITS THE PARCEL IDENTIFIED AS 18691-000-000 PANAMA CITY, FLORIDA, AS MORE PARTICULARLY HEREINAFTER DESCRIBED; REPEALING ALL ORDINANCES IN CONFLICT HERewith; PROVIDING FOR THE SEVERABILITY OF ANY PART OF THIS ORDINANCE DECLARED INVALID; AND PROVIDING FOR AN EFFECTIVE DATE.

BE IT ENACTED BY THE PEOPLE OF THE CITY OF PANAMA CITY, FLORIDA:

SECTION 1. The City of Panama City, Florida (“City”) hereby vacates and abandons an alleyway and easement being more particularly described as follows:

BEGINNING AT A POINT WHICH IS 990 FEET EAST AND 399.5 FEET NORTH OF THE SOUTHWEST CORNER OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 6, TOWNSHIP 4 SOUTH, RANGE 14 WEST, BAY COUNTY, FLORIDA; THENCE WEST 30.00 FEET ; THENCE NORTH ALONG THE WEST RIGHT OF WAY LINE ON FAIRY AVE FOR 260.00 FEET TO THE NORTH LINE OF SAID SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER; THENCE EAST 60.00 FEET TO THE EAST RIGHT OF WAY OF FAIRY AVE; THENCE SOUTH ALONG THE SAID EAST RIGHT OF WAY OF FAIRY AVE FOR 260.50 FEET; THENCE WEST 30.00FEET; TO THE POINT OF BEGINNING.

For Map of Property see “Exhibit A”

SECTION 2. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 3. This Ordinance shall become effective upon its adoption.

PASSED, APPROVED, AND ADOPTED at the regular meeting of the Mayor and City Commission of the City of Panama City, Florida this 27th day of October 2026.

See Attached Signature Page

CITY OF PANAMA CITY, FLORIDA
A Municipal Corporation,

Allan Branch, Mayor

ATTEST:

Leslie A. Glaze, City Clerk-Treasurer

APPROVED AS TO FORM AND CORRECTNESS:

Nevin J. Zimmerman, City Attorney

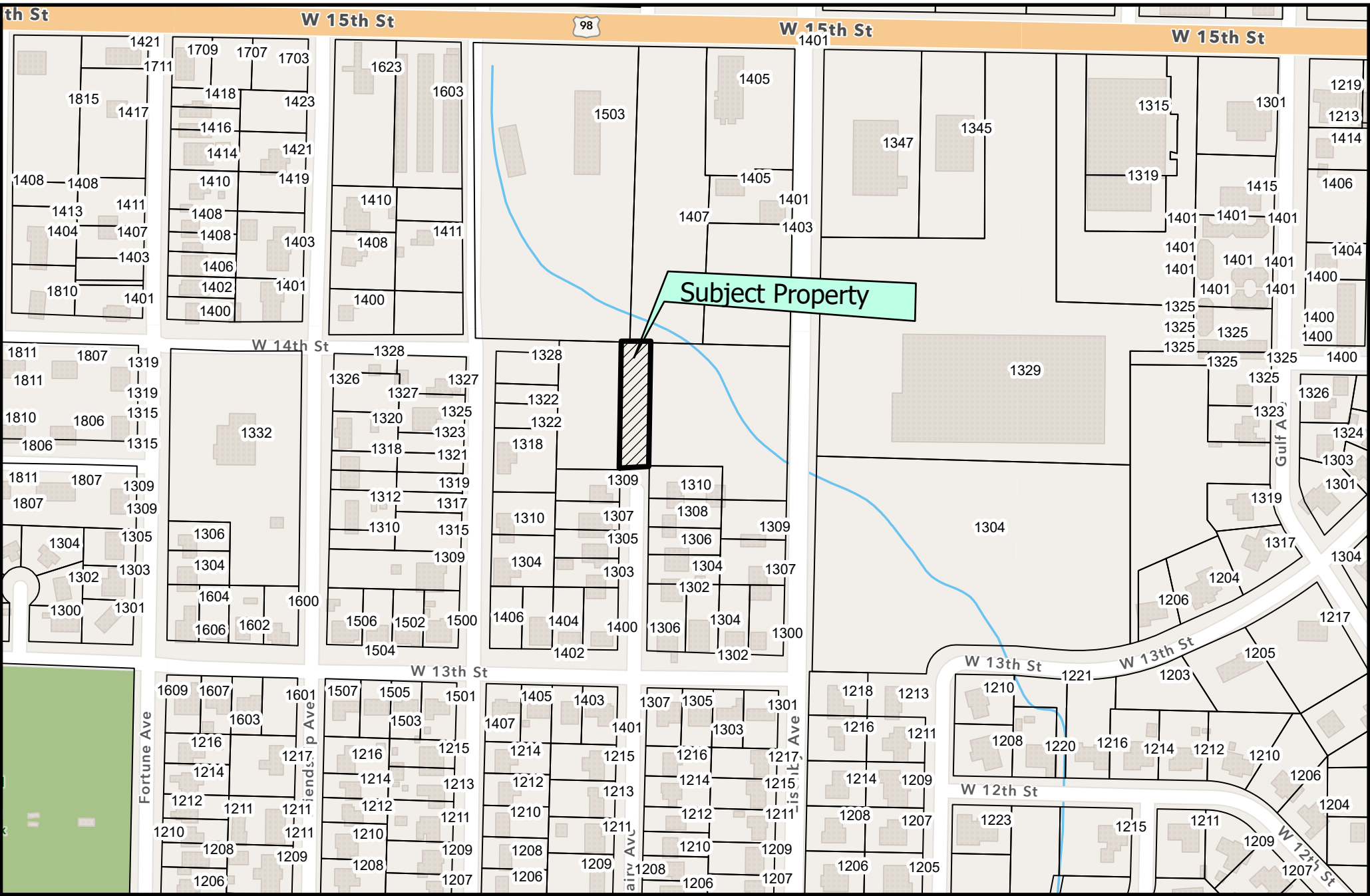


Exhibit A
Location Map
City of Panama City

1 INCH = 262 FEET

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Development Services Department Staff Report

Staff findings of consistency with the pertinent Florida Statutes, the Community Planning and Land Development Regulations (hereafter referred to as the LDRs) and the Comprehensive Plan (hereafter referred to as the Comp Plan) along with the staff recommendations are as follows:

LISENBY AVENUE/FAIRY AVENUE ABANDONMENT OF ALLEYWAY/RIGHT OF WAY/EASEMENT CPC-PLN-2026-1702	
Staff Report Date	September 4, 2026
Planning Board Meeting Date	Public Hearing: September 14, 2026
City Commission Meeting Date(s)	First Public Hearing: October 13, 2026 Second and Final Public Hearing: October 27, 2026
Meeting Type	Public Hearing
Staff Information	Orlando Russ, planner II, Planning & Zoning Division, Development Services Department
Action Necessary	Yes
Staff Recommendation	APPROVE
Attachment (s) Included	Vacation/Abandonment of Right of Way (ROW) or Easement Aerial Map and Location Map, Survey, Property Condition Report

Application, Location, Site and Land Use Summary:

Case Number	CPC-PLN-2026-1702
Application Type	Vacation/Abandonment of Right of Way (ROW) or Easement
Applicant (s)	M&J Land and Marine LLC (Mark Mulligan)
Request	The applicant has requested that the City of Panama City vacate the unimproved portion of Fairy Avenue north of W 13 th Street, west of Lisenby Avenue, east of Fairland Avenue, and splits the parcel identified as 18691-000-000
Location	The subject right-of-way is the unimproved portion of Fairy Avenue north of W 13 th Street, west of Lisenby Avenue, east of Fairland Avenue, and splits the parcel identified as 18691-000-000.
City Commission Ward Impacted	1
Community Redevelopment Agency Area	The subject right-of-way is not located within a CRA boundary area.
Property Size (acres approx.)	0.38
Neighborhood Plan Boundary	The right-of-way is not located within the boundary of the Neighborhood Planning Area.

Flood and Coastal Summary:

Wetlands	The subject property is located within a jurisdictional freshwater forested/shrub wetland area.
Flood Zone	A
Coastal Hazard Area	The subject property is not located in a Coastal Hazard Area.

Department and Agency Comments:

Public Works	
Underground Utilities Division:	No comments.
Engineering Division:	No comments.
Other Considerations	
None.	

Private Utility Provider Comments:

AT&T – BellSouth Telecommunications, LLC	No Response.
Comcast	No Objection.
Florida Power & Light (FPL)	No Response.
TECO People's Gas	No Response.
WOW Cable	No Response.

Comprehensive Plan Goals, Objectives and Policies:

Future Land Use Element

Goal 1A: Establish a defined pattern of land use intended to guide the provision of public facilities and provide predictability in managing development

Objective 1.4: The City has adopted Land Development Regulations which contain specific provisions for implementation of this Plan. Such regulations will contain innovative land use management provisions such as for mixed use areas and planned unit developments.

Policy 1.4.1: The City will administer land development regulations for implementation of the Comprehensive Plan. At minimum, these regulations will:

(f) Ensure safe and convenient on-site traffic flow and vehicle parking needs through provision of or reference to specific and detailed requirements which will include, but not be limited to, technical construction standards for roadways, roadway classifications, design standards, right-of-way protection and use, access control and vehicular connections, location of bicycle or pedestrianways, standards for off-street parking and loading, or other such relevant requirements;

Transportation Element

GOAL 2A: ESTABLISH AND MAINTAIN A SAFE, CONVENIENT, AND EFFICIENT MULTI-MODAL TRANSPORTATION SYSTEM TO MOVE PEOPLE AND GOODS THROUGHOUT THE CITY.

Objective 2.2: Reduce greenhouse gas emissions by reducing per capita vehicle miles traveled.

Policy 2.2.1: The City shall promote compact, multi-use, interconnected developments that provide pedestrian and bicycle modes of transportation.

Policy 2.2.2: The City shall require interconnectivity of uses through multi-modal cross-access within and between uses to reduce travel distances, encourage walking and bicycling, and reduce impact to collector and arterial roadways.

Unified Land Development Code Regulations:

Sec. 109-44. Rights-of-way.

D. *Vacations of rights-of-way.* Applications to vacate a right-of-way may be approved upon a finding that all of the following requirements are met:

<i>1. The requested vacation is consistent with the traffic circulation element of the city comprehensive plan.</i>	
Staff Response:	See staff findings.
<i>2. The right-of-way does not provide the sole access to any property and if the alternative access is not limited solely to a way of egress and ingress.</i>	
Staff Response:	See staff findings.
<i>3. The vacation would not jeopardize the current or future location of any utility.</i>	
Staff Response:	See staff findings.
<i>4. The vacation is not detrimental to the public interest.</i>	
Staff Response:	See staff findings.
<i>5. The proposed vacation does not eliminate a public accessway to the water, unless comparable or better public access is provided by the person requesting the vacation.</i>	
Staff Response:	See staff findings.

Staff Findings:

The applicant has requested that the City of Panama City vacate the unimproved portion of Fairy Avenue north of W 13th Street, west of Lisenby Avenue, east of Fairland Avenue, and splits the parcel identified as 18691-000-000. Per Sec. 109-44 (applications to vacate a right-of-way may be approved upon finding that all of the following requirements are met:

1. The requested vacation is consistent with the traffic circulation element of the city comprehensive plan.
2. The right-of-way does not provide the sole access to any property and if the alternative access is not limited solely to a way of egress and ingress.
3. The vacation would not jeopardize the current or future location of any utility.
4. The proposed vacation is not detrimental to the public interest.
5. The proposed vacation does not eliminate a public accessway to the water, unless comparable or better public access is provided by the person requesting the vacation.

The requested vacation is consistent with the traffic circulation element of the city comprehensive plan. Vacating the unimproved portion of Fairy Avenue that splits the parcel 18691-000-000 does not impede traffic and is not being used for vehicle access. The right of way does not provide sole access to any property except to the owner of parcel 18691-000-000. Parcel 18691-000-000 currently has a sewer easement along the northern portion of the property that will remain, vacating the right of way would not jeopardize the current or future location of any utilities. The vacation request would not be detrimental to the public interest because it currently is not being used for through traffic. The proposed vacation does not eliminate a public accessway to the water, there is no water access available in this area.

Per the local Comprehensive Plan's Transportation Element, the City is charged with establishing and maintaining a safe, convenient and efficient multi-modal transportation system to move people and goods through the City. The City is required to reduce greenhouse gas emissions by reducing per capita vehicle miles traveled through promoting compact, multi-use, interconnected developments that provide pedestrian and bicycle modes of transportation and require interconnectivity of uses through multi-modal cross access within and between uses to reduce travel distances, encourage walking and bicycling, and reduce impact to collector and arterial roadways (*Goal 2A, Objective 2.2, Policies 2.2.1 and 2.2.2, Transportation Element, COPC Comprehensive Plan*).

Fairy Avenue ends near the property line of parcel 18691-000-000. The existing parcel is currently split by a portion of the road that is not currently in use. The applicant is requesting to have the road vacated so that he is able to develop the property in its entirety.

Staff recommends the City of Panama City Planning Board transmit a recommendation of approval to the City Commission, and the City Commission approve the request.



Exhibit A
Aerial Map
City of Panama City

1 INCH = 262 FEET

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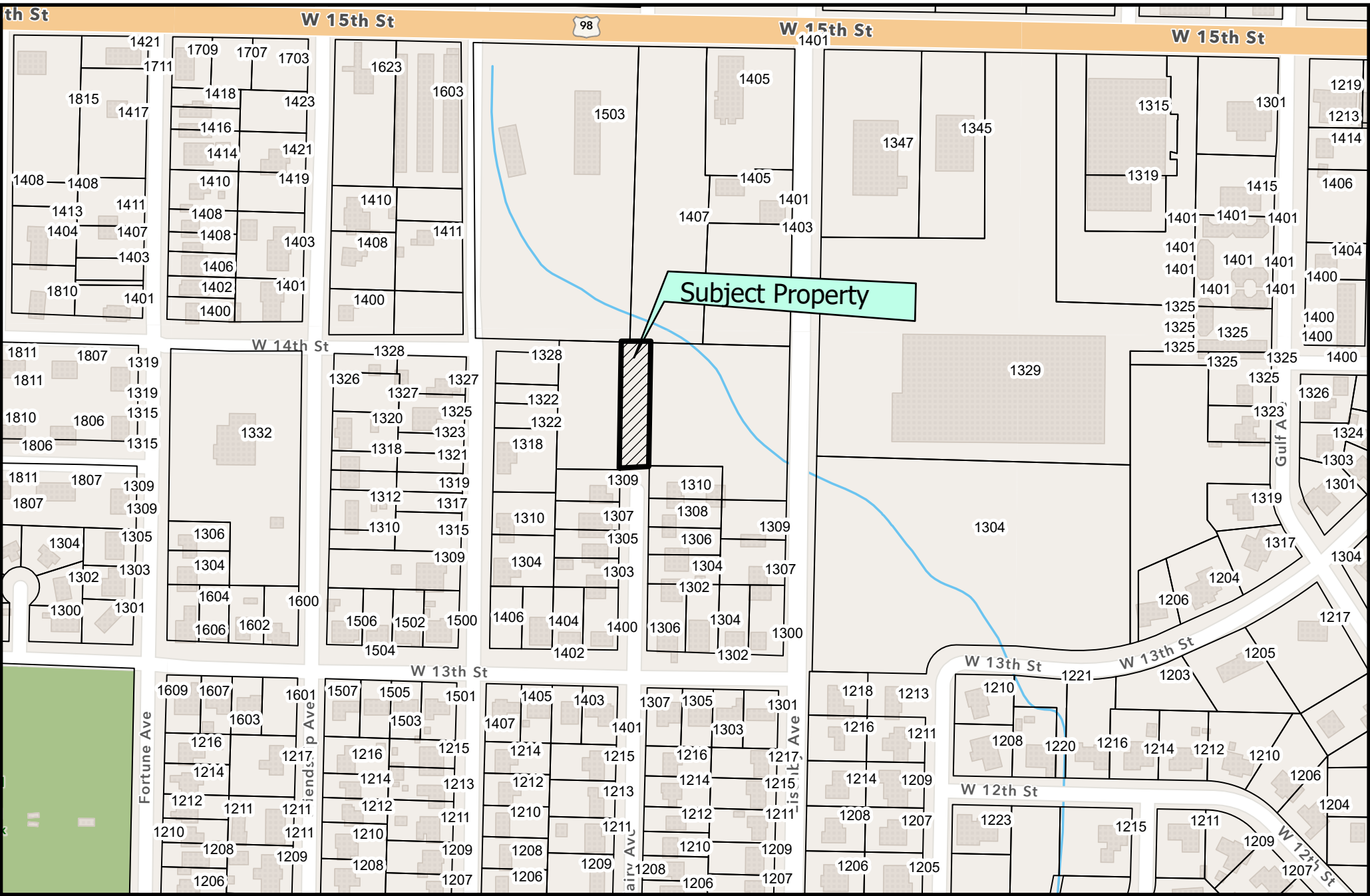
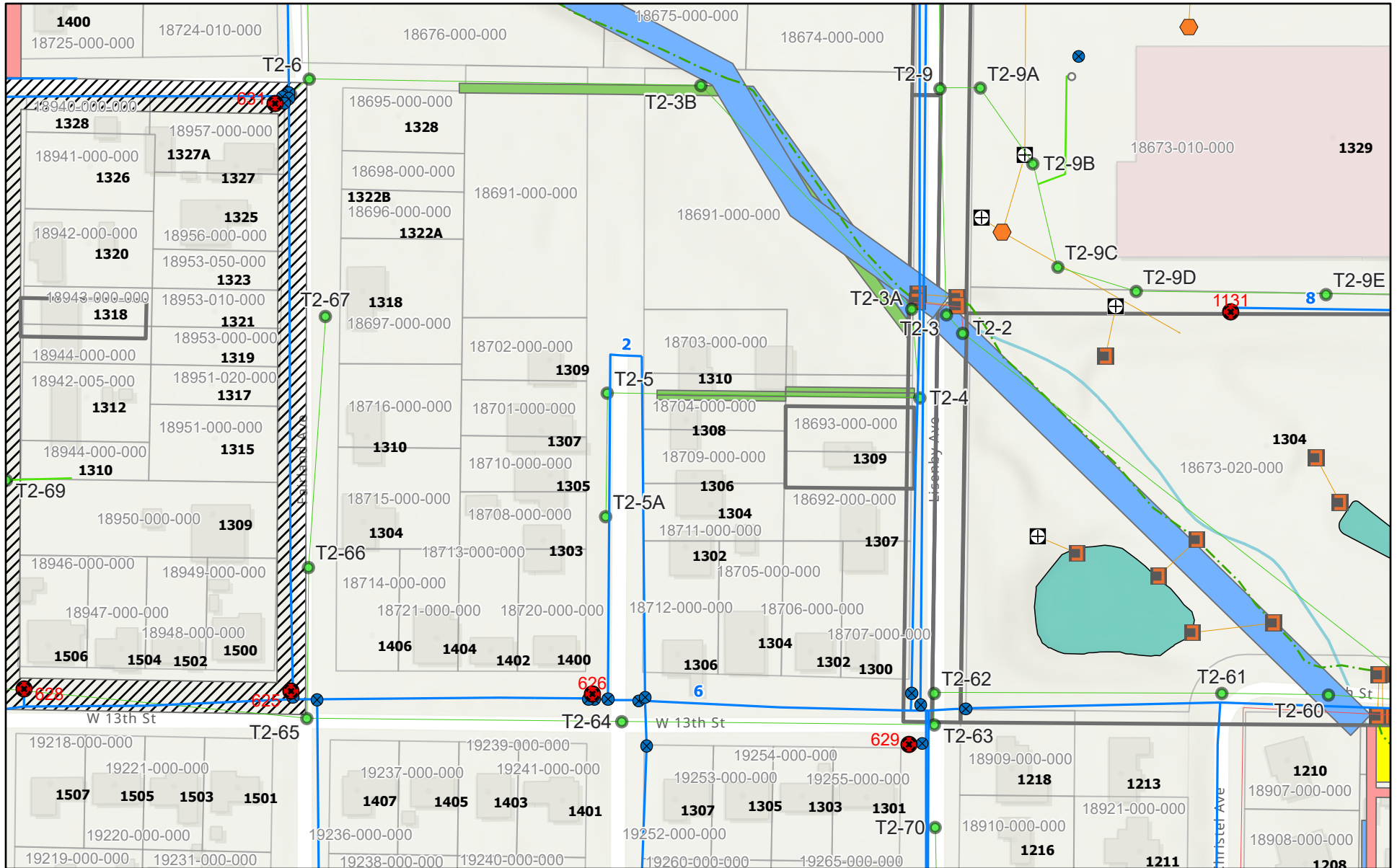


Exhibit A
Location Map
City of Panama City

1 INCH = 262 FEET

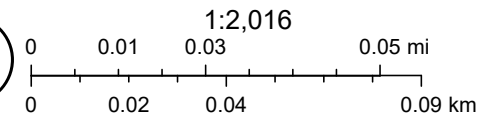
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ArcGIS Web Map



8/3/2026, 1:24:11 PM

- | | | | | | |
|------------------|--------------------|--------------|---------|-------------|--------------|
| Addresses_CPC | WDistributionMain | SLiftstation | CPC | UNC PRIVATE | REM PRIVATE |
| WHydrant | Active | Slitstation | PRIVATE | ABN CPC | DL |
| WSamplingStation | Dry Line | Slitstation | UNC CPC | ABN PRIVATE | ABN |
| WSystemValve | Under Construction | Slitstation | REM CPC | SManhole | EMERG |
| WWarehouseMeter | Abandoned | Slitstation | | SMeter | UNC |
| | WFireLine | Slitstation | | SOutfall | SGravityMain |
| | SCleanOut | Slitstation | | SForceMain | ACT |
| | SControlValve | Slitstation | | ACT | DL |



Development Services and City of Panama City GIS, City of Panama City GIS, Bay County Property Appraiser's Office, Sources: Esri, TomTom,

SYMBOLS AND ABBREVIATIONS			
○	SET 5/8" IRON ROD AND CAP #LB8284	R.O.W	RIGHT OF WAY
□	SET 4"x4" CONCRETE P.R.M. #LB8284	P.O.B	POINT OF BEGINNING
●	FOUND 3/4" ROD AND CAP (NO#)	P.C.	POINT OF CURVATURE
■	FOUND 4"x4" CONCRETE P.R.M.	P.T.	POINT OF TANGENCY
⊕	CENTERLINE	P.C.P	PERMANENT CONTROL POINT
—P—	AERIAL POWER LINE	P.O.C	POINT OF COMMENCEMENT
—X—	FENCE	P.R.C	POINT OF REVERSE CURVATURE
'	DISTANCE IN FEET AND TENTHS OF A FOOT	P.C.C	POINT OF COMPOUND CURVATURE
°	DEGREES	P.R.M.	PERMANENT REFERENCE MONUMENT
'	MINUTES	CONC.	CONCRETE
"	SECONDS	C.M.P.	CORRUGATED METAL PIPE
---	BROKEN SCALE		
R.C.P.	REINFORCED CONCRETE PIPE		

MTS Surveying and Mapping

LB #8284

4619 ASHLAND WAY

PANAMA CITY, FL 32404

PHONE: 850-704-5775

mts surveying mapping@gmail.com

LEGAL DESCRIPTION:

BEGINNING AT A POINT WHICH IS 990 FEET EAST AND 399.5 FEET NORTH OF THE SOUTHWEST CORNER OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 6, TOWNSHIP 4 SOUTH, RANGE 14 WEST, BAY COUNTY, FLORIDA; THENCE WEST 165 FEET TO A POINT WHICH IS 165 FEET EAST OF THE WEST LINE OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 6; THENCE NORTH 260.5 FEET TO THE NORTH LINE OF SAID SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER; THENCE EAST 472.5 FEET, MORE OR LESS, TO THE WEST ROW LINE OF LISENBY AVENUE; THENCE SOUTH ALONG THE WEST ROW LINE OF LISENBY AVENUE, 320.5 FEET; THENCE WEST 135 FEET; THENCE NORTH 60 FEET; THENCE WEST 172.5 FEET, MORE OR LESS, TO THE POINT OF BEGINNING. LESS AND EXCEPT RIGHT OF WAY FOR FAIRY AVENUE.

DESCRIPTION FOR THE RIGHT OF WAY FOR FAIRY AVE:
BEGINNING AT A POINT WHICH IS 990 FEET EAST AND 399.5 FEET NORTH OF THE SOUTHWEST CORNER OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 6, TOWNSHIP 4 SOUTH, RANGE 14 WEST, BAY COUNTY, FLORIDA; THENCE WEST 30.00 FEET ; THENCE NORTH ALONG THE WEST RIGHT OF WAY LINE ON FAIRY AVE FOR 260.00 FEET TO THE NORTH LINE OF SAID SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER; THENCE EAST 60.00 FEET TO THE EAST RIGHT OF WAY OF FAIRY AVE; THENCE SOUTH ALONG THE SAID EAST RIGHT OF WAY OF FAIRY AVE FOR 260.50 FEET; THENCE WEST 30.00FEET; TO THE POINT OF BEGINNING.

FLOOD ZONE:

"A&X" AS SHOWN FLOOD LINES ARE SCALED
MAP #12005C0341J EFFECTIVE 10/24/2024

CERTIFIED TO:

MARK MULLIGAN

NOTES:

NO UNDER GROUND FOUNDATIONS, IMPROVEMENTS OR ENCROACHMENTS LOCATED DURING THIS SURVEY

A COMPARISON HAS BEEN MADE BETWEEN RECORD OR PLATED BEARINGS AND DISTANCES WITH FIELD MEASURED DIMENSIONS. WHEN A DIFFERENCE IS FOUND ,RECORD OR PLATTED ARE SHOWN IN PARENTHESIS.

BEARING BASED ON STATE PLANE FL. NORTH
ELEVATION SHOWN HEREON ARE IN U.S. SURVEY FEET AND ARE REFERENCED TO THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD88)

A TITLE SEARCH OF THE SUBJECT PROPERTY HAS NOT BEEN CONDUCTED BY THE UNDERSIGNED SURVEYOR. IT IS POSSIBLE THERE ARE DEEDS, (RECORDED OR UNRECORDED), EASEMENTS, RIGHT OF WAYS, STATE OR FEDERAL JURISDICTIONS WHICH COULD AFFECT THE BOUNDARIES AND/OR USE OF THE SUBJECT PROPERTY. THIS SURVEY DOES NOT DETERMINE OWNERSHIP OF THE LANDS SHOWN HEREON THIS BOUNDARY SURVEY IS CERTIFIED TO AND WAS PREPARED FOR THE SOLE BENEFIT OF THOSE LISTED HEREON AND IS INTENDED FOR USE WITH THE CURRENT TRANSACTION ONLY. INDIVIDUALS OR ENTITIES NOT SPECIFICALLY NAMED ABOVE ARE NOT ENTITLED TO RELY UPON THIS BOUNDARY SURVEY FOR ANY PURPOSE. FURTHERMORE, THIS SURVEYOR IS NOT OBLIGATED TO AND WILL NOT SUPPORT THIS BOUNDARY SURVEY TO ANY INDIVIDUAL OR ENTITY THAT IS NOT SPECIFICALLY LISTED ABOVE. THE USE OF THIS BOUNDARY SURVEY IN CONJUNCTION WITH AN "OWNER'S AFFIDAVIT" OR ANY OTHER INSTRUMENT WHICH IS DESIGNED TO TRANSFER TITLE WITHOUT A CURRENT SURVEY IS NOT PERMITTED OR SUPPORTED BY THIS SURVEYOR AND WILL INVALIDATE THIS SURVEY. LIABILITY TO THE SURVEYOR SHALL NOT EXCEED THE COST OF THE SURVEY.

LS#7055

LB #8284

THIS SURVEY IS NOT VALID WITHOUT THE SIGNATURE OF AND SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER

7055

STATE OF FLORIDA

PROFESSIONAL SURVEYOR & MAPPER

BOUNDARY SURVEY

OF

LISENBY AVENUE

PANAMA CITY 32405

Date Of Field Work - 06/24/2026

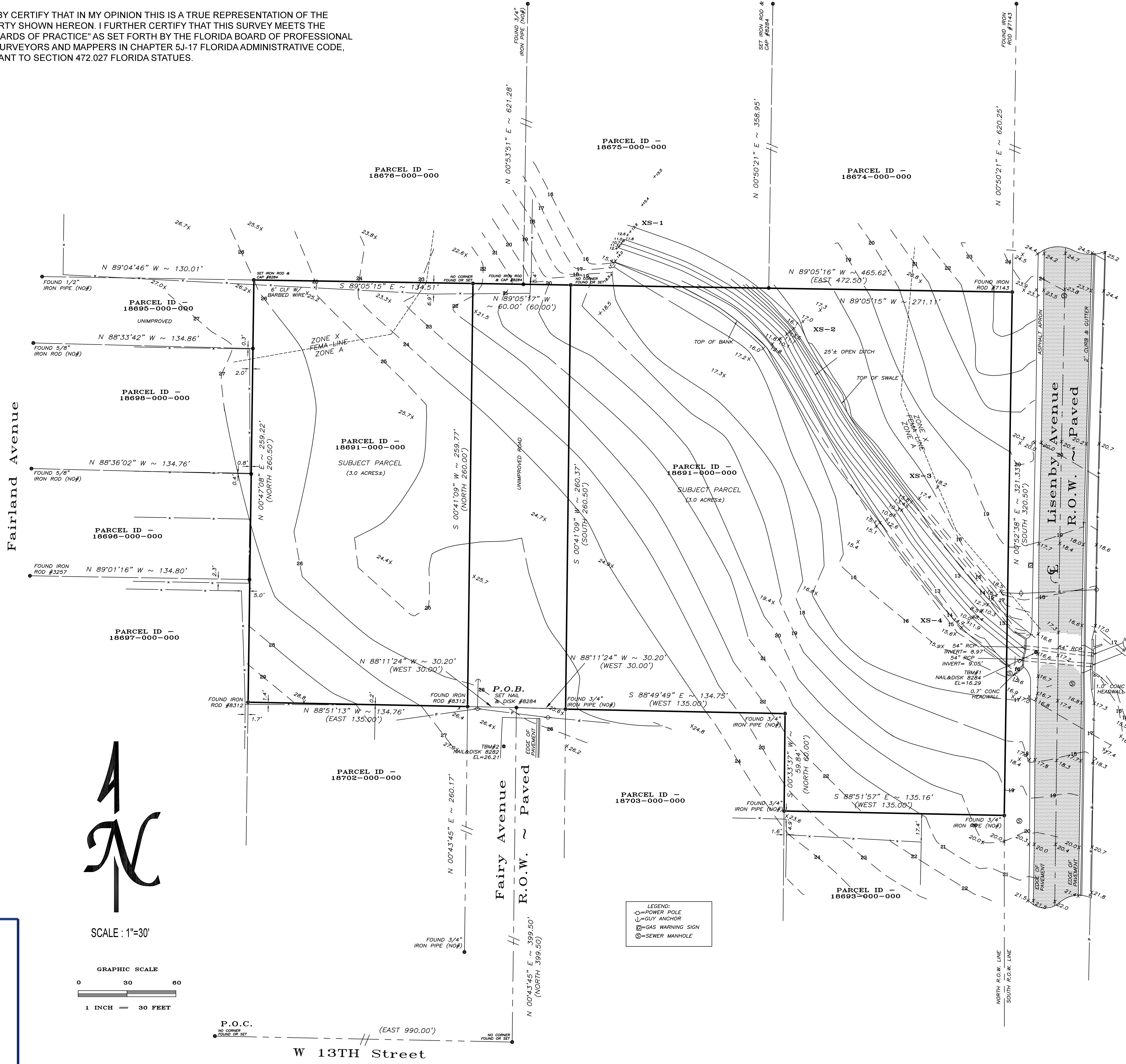
FIELD BOOK - 108 PAGE - 65

Drawn By - MR

Job # - 127-26

SURVEYOR CERTIFICATION:

I HEREBY CERTIFY THAT IN MY OPINION THIS IS A TRUE REPRESENTATION OF THE PROPERTY SHOWN HEREON. I FURTHER CERTIFY THAT THIS SURVEY MEETS THE "STANDARDS OF PRACTICE" AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL LAND SURVEYORS AND MAPPERS IN CHAPTER 5J-17 FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027 FLORIDA STATUTES.



MTS SURVEYING & MAPPING

4619 ASHLAND WAY

PANAMA CITY, FL 32404

(850)704-5775

DESCRIPTION FOR THE RIGHT OF WAY FOR FAIRY AVE:

BEGINNING AT A POINT WHICH IS 990 FEET EAST AND 399.5 FEET NORTH OF THE SOUTHWEST CORNER OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 6, TOWNSHIP 4 SOUTH, RANGE 14 WEST, BAY COUNTY, FLORIDA; THENCE WEST 30.00 FEET ; THENCE NORTH ALONG THE WEST RIGHT OF WAY LINE ON FAIRY AVE FOR 260.00 FEET TO THE NORTH LINE OF SAID SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER; THENCE EAST 60.00 FEET TO THE EAST RIGHT OF WAY OF FAIRY AVE; THENCE SOUTH ALONG THE SAID EAST RIGHT OF WAY OF FAIRY AVE FOR 260.50 FEET; THENCE WEST 30.00FEET; TO THE POINT OF BEGINNING.

OBSERVED PROPERTY CONDITION

The parcel appears vacant and heavily overgrown with dense brush, vines, and mature trees extending across much of the visible frontage. No principal structure is visible from the roadway, and vegetation maintenance and debris removal may be needed to improve access and visibility.

PROPERTY APPRAISER SHEET

Bay County Property Appraiser - Dan Sowell, CFA
Main Office | 860 W. 11th St, Panama City, FL 32401 | 850-248-8401
Beach Office | 301 Richard Jackson Blvd, Panama City Beach, FL 32407 | 850-248-8470



Parcel ID	18691-000-000	Owner	MULLIGAN, MARK	Last 2 Sales			
Class Code	VACANT		1106 W 11TH ST	Date	Price	Reason	Qual
Taxing District	16		PANAMA CITY, FL 32401-2002	3/29/2019	\$150000	n/a	Q
		Physical Address	LISENBY AVE	4/25/2017	\$100	n/a	U
Acres	3.0	Just Value	Value \$123750	MLS			

Maps have been compiled from the most authentic information available and are to be used for assessment purposes only. Bay County Property Appraiser's Office assumes NO responsibility for errors and/or omissions that may be contained herein. THIS MAP IS NOT A SURVEY

Date created: 9/2/2026
Last Data Uploaded: 9/2/2026 6:47:56 AM
Developed by SCHNEIDER GEOSPATIAL

SITE PHOTOGRAPHS



Conditions are based solely on the attached exterior photographs and are not a survey or structural inspection.