



Arthur A. Mendonsa Hearing Room  
June 9, 2015 1:30 P.M.  
MINUTES

**June 9, 2015 Regular MPC Meeting**

**Members Present:** W. Shedrick Coleman, Chairman  
W. James Overton, Secretary  
Joseph T. Welch, Treasurer  
James B. Blackburn, Jr.  
Ellis Cook  
Stephanie Cutter  
Timothy Mackey  
Lacy Manigault  
J. Adam Ragsdale  
W. Lee Smith  
Linder S. Suthers  
Tom Woiwode

**Members Not Present:** Tanya Milton, Vice-Chairman  
George L. Woods

**Staff Present:** Thomas Thomson, P.E. AICP, Executive Director  
Melony West, CPA, Director, Finance & Systems  
Gary Plumbley, Director, Development Services  
Christy Adams, Director, Administration  
Bri Finau, Administrative Assistant  
Charlotte Moore, Director of Special Projects  
Leah Michalak, Preservation Planner

**Advisory Staff Present:** Robert Sebek, County Zoning Administrator  
Geoff Goins, City Zoning Administrator

**I. CALL TO ORDER AND WELCOME**

**II. INVOCATION and PLEDGE OF ALLEGIANCE**

**III. APPROVAL OF AGENDA**

1. Approve Agenda as Submitted

<b>Board Action:</b>	
Approve	- PASS
<b>Vote Results</b>	
Motion: James Overton	
Second: Joseph Welch	
James Blackburn Jr.	- Aye
Shedrick Coleman	- Aye
Ellis Cook	- Aye
Stephanie Cutter	- Aye
Timothy Mackey	- Aye
Lacy Manigault	- Aye
Tanya Milton	- Not Present
James Overton	- Aye
Adam Ragsdale	- Aye
W. Lee Smith	- Aye
Linder S. Suthers	- Aye
Joseph Welch	- Aye
Tom Woiwode	- Aye
George L. Woods III	- Not Present

**IV. NOTICES, PROCLAMATIONS and ACKNOWLEDGEMENTS**

**Notice(s)**

2. [June 30, 2015 Regular MPC Meeting at 1:30 P.M. in the Arthur A. Mendonsa Hearing Room, 112 E. State Street.](#)

**Acknowledgement(s)**

3. [Resolution of Appreciation - Shedrick Coleman, Chairman](#)

**Information Item(s) for Board Members**

4. [Reading of Development Plans Submitted for Review](#)

Attachment: [Review Log June 9.pdf](#)

**V. PRESENTATIONS**

**VI. ITEM(S) REQUESTED TO BE REMOVED FROM THE FINAL AGENDA**

**The Consent Agenda consists of items for which the applicant is in agreement with the staff**

recommendation and for which no known objections have been identified nor anticipated by staff. Any objections raised at the meeting will result in the item being moved to the Regular Agenda. At a 12:30 briefing, the staff will brief the Commission on Consent Agenda items and, time permitting, Regular Agenda items. No testimony will be taken from applicants, supporters or opponents, and no votes will be taken at the briefing.

## VII. CONSENT AGENDA

### 5. [May 19, 2015 MPC Meeting and Briefing Minutes](#)

Attachment: [05-19-15 MPC BRIEFING MINUTES.pdf](#)

Attachment: [05.19.15 MEETING MINUTES.pdf](#)

#### **Board Action:**

Recommend **APPROVAL** of the MPC Meeting and Briefing Minutes as submitted. - PASS

#### **Vote Results**

Motion: Lacy Manigault

Second: Joseph Welch

James Blackburn Jr. - Aye

Shedrick Coleman - Aye

Ellis Cook - Aye

Stephanie Cutter - Aye

Timothy Mackey - Aye

Lacy Manigault - Aye

Tanya Milton - Not Present

James Overton - Aye

Adam Ragsdale - Aye

W. Lee Smith - Aye

Linder S. Suthers - Aye

Joseph Welch - Aye

Tom Woiwode - Aye

George L. Woods III - Not Present

### 6. [Authorize the Executive Director to execute the FY 2012 Savannah Regional Traffic Control Center - Special Study Supplemental Agreement #2 Contract with the Georgia Department of Transportation Contract PI 0010027](#)

Attachment: [MPC Authorization for contracts 10027.pdf](#)

#### **Board Action:**

Execute as presented. - PASS

#### **Vote Results**

Motion: Lacy Manigault

Second: Joseph Welch

James Blackburn Jr.	- Aye
Shedrick Coleman	- Aye
Ellis Cook	- Aye
Stephanie Cutter	- Aye
Timothy Mackey	- Aye
Lacy Manigault	- Aye
Tanya Milton	- Not Present
James Overton	- Aye
Adam Ragsdale	- Aye
W. Lee Smith	- Aye
Linder S. Suthers	- Aye
Joseph Welch	- Aye
Tom Woiwode	- Aye
George L. Woods III	- Not Present

7. [Authorize the Executive Director to execute the FY 2016 Federal Transit Administration 5303 Program contract with Georgia Department of Transportation](#)

Attachment: [MPC Board memo.pdf](#)

**Board Action:**

Execute as presented. - PASS

**Vote Results**

Motion: Lacy Manigault

Second: Joseph Welch

James Blackburn Jr.	- Aye
Shedrick Coleman	- Aye
Ellis Cook	- Aye
Stephanie Cutter	- Aye
Timothy Mackey	- Aye
Lacy Manigault	- Aye
Tanya Milton	- Not Present
James Overton	- Aye
Adam Ragsdale	- Aye
W. Lee Smith	- Not Present
Linder S. Suthers	- Aye
Joseph Welch	- Aye
Tom Woiwode	- Aye
George L. Woods III	- Not Present

8. [Authorize the Executive Director to execute the FY 2016 Metropolitan Transportation Planning Services contract with Georgia Department of Transportation](#)

Attachment: [MPC Board memo PL.pdf](#)

<b>Board Action:</b>	
Execute as presented.	- PASS
<b>Vote Results</b>	
Motion: Lacy Manigault	
Second: Joseph Welch	
James Blackburn Jr.	- Aye
Shedrick Coleman	- Aye
Ellis Cook	- Aye
Stephanie Cutter	- Aye
Timothy Mackey	- Aye
Lacy Manigault	- Aye
Tanya Milton	- Not Present
James Overton	- Aye
Adam Ragsdale	- Aye
W. Lee Smith	- Not Present
Linder S. Suthers	- Aye
Joseph Welch	- Aye
Tom Woiwode	- Aye
George L. Woods III	- Not Present

**VIII. OLD BUSINESS**

9. [TEXT AMENDMENT: Amendment to Sec. 8-3025\(a\) to allow a bed and breakfast guest unit in the R-6 \(One-family Residential\) zoning district | File No. 14-002253-ZA](#)

Attachment: [Memo Regarding Status of Petition-June 9.pdf](#)

<b>Board Action:</b>	
It is recommended that this item be continued indefinitely to allow for additional stakeholder meetings.	- PASS
<b>Vote Results</b>	
Motion: Ellis Cook	
Second: Lacy Manigault	
James Blackburn Jr.	- Nay
Shedrick Coleman	- Aye
Ellis Cook	- Aye
Stephanie Cutter	- Aye
Timothy Mackey	- Aye
Lacy Manigault	- Aye
Tanya Milton	- Not Present
James Overton	- Aye
Adam Ragsdale	- Nay
W. Lee Smith	- Aye

Linder S. Suthers	- Aye
Joseph Welch	- Aye
Tom Woiwode	- Aye
George L. Woods III	- Not Present

10. TEXT AMENDMENT: Amend Sec. 8-3112.(d)(3)c.2. (Signs Permits-Required, Announcement Signs) to Allow Electronically Controlled Announcement Signs to Change Message Every 10 Seconds | File No. 14-006238-ZA

Attachment: [Street Class Map-I & 2.pdf](#)  
Attachment: [Street Class Map for Announcement Signs.pdf](#)  
Attachment: [Natl Register Districts Map.pdf](#)  
Attachment: [Petitioner's Presentation-March 18.pdf](#)  
Attachment: [Staff Report-14-006238-June 9.pdf](#)

**Board Action:**

Message change with one hour hold time. All changes at same time: on the hour. - FAIL

**Vote Results**

Motion: Tom Woiwode  
Second: Adam Ragsdale  
James Blackburn Jr. - Nay  
Shedrick Coleman - Nay  
Ellis Cook - Aye  
Stephanie Cutter - Nay  
Timothy Mackey - Nay  
Lacy Manigault - Aye  
Tanya Milton - Not Present  
James Overton - Nay  
Adam Ragsdale - Aye  
W. Lee Smith - Nay  
Linder S. Suthers - Aye  
Joseph Welch - Aye  
Tom Woiwode - Aye  
George L. Woods III - Not Present

**Board Action:**

6 hour hold - PASS

**Vote Results**

Motion: Joseph Welch  
Second: James Overton  
James Blackburn Jr. - Aye

Shedrick Coleman	- Nay
Ellis Cook	- Nay
Stephanie Cutter	- Aye
Timothy Mackey	- Aye
Lacy Manigault	- Aye
Tanya Milton	- Not Present
James Overton	- Aye
Adam Ragsdale	- Aye
W. Lee Smith	- Aye
Linder S. Suthers	- Nay
Joseph Welch	- Aye
Tom Woiwode	- Aye
George L. Woods III	- Not Present

**Board Action:**

Have staff review before sending to City Council. - PASS

**Vote Results**

Motion: James Blackburn Jr.

Second: Adam Ragsdale

James Blackburn Jr.	- Aye
Shedrick Coleman	- Aye
Ellis Cook	- Aye
Stephanie Cutter	- Aye
Timothy Mackey	- Aye
Lacy Manigault	- Aye
Tanya Milton	- Not Present
James Overton	- Aye
Adam Ragsdale	- Aye
W. Lee Smith	- Aye
Linder S. Suthers	- Aye
Joseph Welch	- Aye
Tom Woiwode	- Aye
George L. Woods III	- Not Present

**IX. REGULAR BUSINESS**

11. [Authorize the Executive Director to execute the FY 2014 Savannah Sector 8 Study Supplemental Agreement #2 Contract with the Georgia Department of Transportation Contract PI 0008607](#)

Attachment: [MPC Authorization for contracts 8607.pdf](#)

**Board Action:**

Execute as presented. - PASS

**Vote Results**

Motion: James Overton

Second: Lacy Manigault

James Blackburn Jr.	- Aye
Shedrick Coleman	- Aye
Ellis Cook	- Aye
Stephanie Cutter	- Aye
Timothy Mackey	- Not Present
Lacy Manigault	- Aye
Tanya Milton	- Not Present
James Overton	- Aye
Adam Ragsdale	- Aye
W. Lee Smith	- Aye
Linder S. Suthers	- Aye
Joseph Welch	- Not Present
Tom Woiwode	- Aye
George L. Woods III	- Not Present

12. [Petition of Richard Stone, Two Stones | 15-002807-COA | 903 and 909 Jefferson Street | New Construction](#)

Attachment: [Sanborn Maps - 1916, 1954, and 1973.pdf](#)

Attachment: [Submittal Packet - Photos and Documentation.pdf](#)

Attachment: [Submittal Packet - Drawings.pdf](#)

Attachment: [Staff Recommendation.pdf](#)

**Board Action:**

Approve the construction of a row of three (3), attached, 2-story townhouses on the two vacant properties located at 903 and 909 Jefferson Street, including adjustment to the side and rear yard setback standards, with the following conditions because the proposal is visually compatible and otherwise meets the standards:

1. Paint or stain all wood fences.
  2. Ensure that man doors shall either be wood or wood clad products (not a pressed steel or vinyl product.)
- PASS

Submit to staff for final review and approval with the building permit drawings.

3. Apply to the Savannah Zoning Board of Appeals for a variance from the permitted minimum lot area per unit for each of the three properties.

**Vote Results**

Motion: Ellis Cook



Second: James Overton	
James Blackburn Jr.	- Nay
Shedrick Coleman	- Aye
Ellis Cook	- Aye
Stephanie Cutter	- Aye
Timothy Mackey	- Aye
Lacy Manigault	- Aye
Tanya Milton	- Not Present
James Overton	- Aye
Adam Ragsdale	- Aye
W. Lee Smith	- Not Present
Linder S. Suthers	- Aye
Joseph Welch	- Not Present
Tom Woiwode	- Aye
George L. Woods III	- Not Present

13. [REZONING: 1512 E. 52nd Street | Rezone from R-6 \(One-family Residential\) to R-4 \(Four-family Residential\) | Mia Madison Properties, Petitioner | File No. 15-002297-ZA](#)

Attachment: [Maps.pdf](#)  
Attachment: [Permitted Uses - R-6 and R-4.pdf](#)  
Attachment: [Photos.pdf](#)  
Attachment: [Zoning Table R-6 and R-4.pdf](#)  
Attachment: [Staff Report 15-002297-ZA.pdf](#)

**Board Action:**

The MPC staff recommends **Denial** of the petitioner's request to rezone the subject site 1512 East 52nd Street from an R-6 (Single-Family Residential) classification to an R-4 (Four-Family Residential) classification based on the findings identified in the staff report. - PASS

**Vote Results**

Motion: James Overton  
Second: Linder S. Suthers

James Blackburn Jr.	- Aye
Shedrick Coleman	- Aye
Ellis Cook	- Aye
Stephanie Cutter	- Aye
Timothy Mackey	- Aye
Lacy Manigault	- Aye
Tanya Milton	- Not Present
James Overton	- Aye
Adam Ragsdale	- Aye
W. Lee Smith	- Not Present

Linder S. Suthers	- Aye
Joseph Welch	- Not Present
Tom Woiwode	- Aye
George L. Woods III	- Not Present

14. [TEXT AMENDMENT: Amend Mid-City District Sec. 8-3199, District Boundary Description ; Appendix A, Zoning Map; Appendix B, Contributing Structures Map; Sec. 8-3224, Parking | Savannah College of Art and Design, Petitioner | File No. 15-002389-ZA](#)

Attachment: [Staff Report-15-002389-June 9 - Corrected.pdf](#)

**Board Action:**

Staff reconsider text amendment regarding parking, accessory uses, map of district, etc. - PASS

**Vote Results**

Motion: James Blackburn Jr.

Second: Timothy Mackey

James Blackburn Jr.	- Aye
Shedrick Coleman	- Aye
Ellis Cook	- Not Present
Stephanie Cutter	- Aye
Timothy Mackey	- Aye
Lacy Manigault	- Aye
Tanya Milton	- Not Present
James Overton	- Nay
Adam Ragsdale	- Abstain
W. Lee Smith	- Not Present
Linder S. Suthers	- Aye
Joseph Welch	- Not Present
Tom Woiwode	- Nay
George L. Woods III	- Not Present

15. [REZONING: 315 W. 38th Street | Rezone from R-B \(Residential-Business\) and R-I-P \(Residential-Institutional-Professional\) Districts to Mid-City CIV \(Civic\) District | Savannah College of Art and Design, Petitioner | File No. 15-002388-ZA](#)

Attachment: [Maps.pdf](#)  
Attachment: [Mid-City & MLK Redevelopment Map.pdf](#)  
Attachment: [Photos-15-002388-ZA-June 9.pdf](#)  
Attachment: [RB District Permitted Use List.pdf](#)  
Attachment: [RIP District Permitted Use List.pdf](#)  
Attachment: [CIV District Permitted Use List.pdf](#)  
Attachment: [Staff Report-15-002388-ZA-June 9.pdf](#)

**Board Action:**

Petitioner requests continuance to June 30 - PASS

**Vote Results**

Motion: James Blackburn Jr.

Second: Lacy Manigault

James Blackburn Jr.	- Aye
Shedrick Coleman	- Aye
Ellis Cook	- Not Present
Stephanie Cutter	- Aye
Timothy Mackey	- Not Present
Lacy Manigault	- Aye
Tanya Milton	- Not Present
James Overton	- Aye
Adam Ragsdale	- Abstain
W. Lee Smith	- Not Present
Linder S. Suthers	- Aye
Joseph Welch	- Not Present
Tom Woiwode	- Aye
George L. Woods III	- Not Present

16. [Petition of Tim Kinsey, Fortitude Design | 15-002806-COA | 416 East Bolton Street | New Construction](#)

Attachment: [Staff Report.pdf](#)

Attachment: [Submittal Packet.pdf](#)

Attachment: [Sanborn Maps.pdf](#)

Attachment: [Staff Images of Contemporary Architecture.pdf](#)

**Board Action:**

Continue the petition for new construction of a 3-story residential building to be located on a vacant lot at 416 East Bolton Street in order for the petitioner to restudy the following:

1. Restudy the front yard setback.
2. Restudy the roof shape.
3. Restudy the fenestration patterns (doors and windows). - PASS
4. Restudy all porches and balconies.
5. Restudy the building materials, porch materials, window/storefront and awnings materials, and fence base materials.
6. Restudy the vertical character of the building.

**Vote Results**

Motion: Adam Ragsdale

Second: Lacy Manigault	
James Blackburn Jr.	- Aye
Shedrick Coleman	- Aye
Ellis Cook	- Not Present
Stephanie Cutter	- Aye
Timothy Mackey	- Not Present
Lacy Manigault	- Aye
Tanya Milton	- Not Present
James Overton	- Aye
Adam Ragsdale	- Aye
W. Lee Smith	- Not Present
Linder S. Suthers	- Aye
Joseph Welch	- Not Present
Tom Woiwode	- Aye
George L. Woods III	- Not Present

17. [COMP PLAN AMENDMENT: 6033 Ogeechee Road | Commercial Regional to General Residential](#)

Attachment: [FLUM.pdf](#)

Attachment: [Z-150526-00043-1 Staff Report - Comp Plan Amendment - 6033 Ogeechee Road.pdf](#)

**Board Action:**

Staff recommends **approval** of the request of an amendment to the Tri-Centennial Comprehensive Plan Future Land Use Map to change the future land use category of the properties identified as PIN(s) - **PASS**  
1-1029C -01-005A, -005B and -006 from Commercial-Regional to Residential General.

**Vote Results**

Motion: Adam Ragsdale

Second: James Overton

James Blackburn Jr.	- Aye
Shedrick Coleman	- Aye
Ellis Cook	- Not Present
Stephanie Cutter	- Aye
Timothy Mackey	- Not Present
Lacy Manigault	- Aye
Tanya Milton	- Not Present
James Overton	- Aye
Adam Ragsdale	- Aye
W. Lee Smith	- Not Present
Linder S. Suthers	- Aye
Joseph Welch	- Not Present

Tom Woiwode	- Aye
George L. Woods III	- Not Present

18. [REZONING: 6033 Ogeechee Road | Rezone from P-B \(Planned Business\) and R-A \(Residential-Agriculture\) Districts to an R-3-24 \(Multi-family Residential, up to 24 dwellings/net acre\) District | TG Ogeechee, LLC, Petitioner | File No. Z-150520-00041-1](#)

Attachment: [Maps 00041.pdf](#)  
Attachment: [Application-6033 OgeecheeRd- 00041-1.pdf](#)  
Attachment: [Staff Report - Z-150520-00041-1.pdf](#)

**Board Action:**

**Approval** of the request to rezone a 13.5 acre parcel from P-B (Planned Business) and R-A (Residential Agricultural) zoning classifications to an R-3-24 (Multi-Family Residential, 24 units per acre) classification (proposed).

The approval of this rezoning is conditioned upon the approval of the associated Comprehensive Plan Future Land Use Map amendment. The Comprehensive Plan Future Land Use Map amendment is also on the June 9, 2015 MPC agenda.

- PASS

**Vote Results**

Motion: Adam Ragsdale	
Second: James Overton	
James Blackburn Jr.	- Aye
Shedrick Coleman	- Aye
Ellis Cook	- Not Present
Stephanie Cutter	- Aye
Timothy Mackey	- Not Present
Lacy Manigault	- Aye
Tanya Milton	- Not Present
James Overton	- Aye
Adam Ragsdale	- Aye
W. Lee Smith	- Not Present
Linder S. Suthers	- Aye
Joseph Welch	- Not Present
Tom Woiwode	- Aye
George L. Woods III	- Not Present

19. [REZONING: 165 Hugh Tracy Boulevard | Rezoning from RIP-C \(Medium Density Residential\) and I-H-CO \(Heavy Industrial-Annexed\) Classifications a to B-B \(Bayfront Business\) Classification | Edgewater Resorts, Inc., Petitioner | File No. 15-002819-ZA](#)

- Attachment: [Staff Report-15-002819-ZA-June 9.pdf](#)
- Attachment: [Maps.pdf](#)
- Attachment: [RIP-C District Permitted Use Chart.pdf](#)
- Attachment: [I-H Permitted Use Chart.pdf](#)
- Attachment: [B-B Permitted Use Chart.pdf](#)
- Attachment: [Photos-15-002819-ZA-June 9.pdf](#)

**Board Action:**

**Approval** of the petitioner’s request to rezone the subject property from R-I-P-C (Residential Medium Density) and I-H (CO) (Heavy Industrial, Annexed) base district zoning classifications to a B-B (Bayfront-Business) base district zoning classification with the “unusual and extraordinary” provision of Sec. 8-3031(D)(1)(a) that requires a zoning master plan. This approval includes the following conditions:

1. The zoning master plan establishes the development standards, parking standards and sign standards for the subject property. - PASS
2. Subsequent amendments to the zoning master plan, including an approved specific development plan, will not require review by the Mayor and Aldermen unless recommended by the Planning Commission.

**Vote Results**

- Motion: Adam Ragsdale  
Second: Stephanie Cutter
- |                     |               |
|---------------------|---------------|
| James Blackburn Jr. | - Aye         |
| Shedrick Coleman    | - Aye         |
| Ellis Cook          | - Not Present |
| Stephanie Cutter    | - Aye         |
| Timothy Mackey      | - Not Present |
| Lacy Manigault      | - Aye         |
| Tanya Milton        | - Not Present |
| James Overton       | - Aye         |
| Adam Ragsdale       | - Aye         |
| W. Lee Smith        | - Not Present |
| Linder S. Suthers   | - Aye         |
| Joseph Welch        | - Not Present |
| Tom Woiwode         | - Aye         |
| George L. Woods III | - Not Present |

20. [ZONING MASTER PLAN / GENERAL DEVELOPMENT PLAN: 165 Hugh Tracy Boulevard |](#)

Edgewater Resorts (Hutchinson Island) | File No. 15-002824-PLAN

Attachment: [Staff Report-15-002824-PLAN-June 9.pdf](#)

Attachment: [Plan-15-002824-PLAN-June 9.pdf](#)

**Board Action:**

**Approval** of the zoning master plan / general development plan in conjunction with rezoning petition (File No. 15-002819-ZA). Approval conditions are provided in attached report. - PASS

**Vote Results**

Motion: Adam Ragsdale

Second: Stephanie Cutter

James Blackburn Jr.	- Aye
Shedrick Coleman	- Aye
Ellis Cook	- Not Present
Stephanie Cutter	- Aye
Timothy Mackey	- Not Present
Lacy Manigault	- Aye
Tanya Milton	- Not Present
James Overton	- Aye
Adam Ragsdale	- Aye
W. Lee Smith	- Not Present
Linder S. Suthers	- Aye
Joseph Welch	- Not Present
Tom Woiwode	- Aye
George L. Woods III	- Not Present

21. AMENDED MASTER PLAN - Mosswood Plantation - Ph. 3 - 197 Sawgrass Drive

Attachment: [Maps.pdf](#)

Attachment: [Master Plan.pdf](#)

Attachment: [Misc.pdf](#)

Attachment: [STAFF REPORT M-150209-00014-1.pdf](#)

Attachment: [Hart Memo - Mosswood Master Plan.pdf](#)

**Board Action:**

Postpone Item - June 30 Regular MPC Meeting - PASS

**Vote Results**

Motion: James Blackburn Jr.

Second: James Overton

James Blackburn Jr.	- Aye
Shedrick Coleman	- Aye
Ellis Cook	- Not Present
Stephanie Cutter	- Aye

Timothy Mackey	- Not Present
Lacy Manigault	- Aye
Tanya Milton	- Not Present
James Overton	- Aye
Adam Ragsdale	- Aye
W. Lee Smith	- Not Present
Linder S. Suthers	- Aye
Joseph Welch	- Not Present
Tom Woiwode	- Aye
George L. Woods III	- Not Present

**X. OTHER BUSINESS**

**XI. ADJOURNMENT**

22. [Adjourn June 9, 2015 Regular MPC Meeting](#)

There being no further business to present before the Board, the June 9, 2015 Regular MPC Meeting was adjourned at 5:15. p.m.

**XII. DEVELOPMENT PLANS SUBMITTED FOR REVIEW**

23. [Development Plans Submitted for Review](#)

Attachment: [Review Log June 9.pdf](#)

*The Chatham County - Savannah Metropolitan Planning Commission provides meeting minutes which are adopted by the respective Board. Verbatim transcripts of minutes are the responsibility of the interested party.*