

IN THE MATTER OF THE	*	BEFORE THE ALCOHOLIC
APPLICATION OF PATRICIA ANN MILLER	*	
AND JEFFREY ZICCARDI ON BEHALF OF	*	BEVERAGE HEARING BOARD
TEXAS ROADHOUSE OF HOWARD	*	
COUNTY, MD, LLC T/A TEXAS ROADHOUSE,	*	FOR HOWARD COUNTY, MD
FOR A NEW CLASS B BEER, WINE, AND	*	
LIQUOR 7-DAY ON-SALE LICENSE	*	CASE NO. 17-30

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### **DECISION AND ORDER**

The Board of License Commissioners for Howard County, Maryland (the “Liquor Board”), pursuant to Rule 1.02(A) of the Liquor Board Rules and Regulations, has delegated the authority to hear and decide cases to the Alcoholic Beverage Hearing Board for Howard County, Maryland (the “Hearing Board”).

On July 11, 2017, the Hearing Board heard the application of Patricia Ann Miller and Jeffrey Ziccardi, (the “Applicants”), on behalf of Texas Roadhouse of Howard County, MD, LLC. t/a Texas Roadhouse, for a new Class B Beer, Wine, and Liquor 7-day on-sale license for a 7,163 square-foot restaurant, located at 8820 Stanford Boulevard, Columbia, Maryland 21045. The hearing was properly advertised and the premises posted pursuant to the Alcoholic Beverages Article of the Annotated Code of Maryland. The Applicants were represented by Leanne Schrecengost, Esquire. There were no protestants who appeared in opposition to the application. All the documents on file were incorporated into the record by reference.

### **SUMMARY OF TESTIMONY**

Jeffrey Ziccardi, an authorized member and 1% shareholder of Texas Roadhouse of

Howard County, LLC, was sworn and testified that he has 35 years of experience in the restaurant industry with various degrees in the hospitality field, has opened 19 restaurants with Texas Roadhouse, and oversees large numbers of managers and employees. Mr. Ziccardi indicated that this restaurant is a dinner-only concept with hours from 4 to 10 p.m. and on weekends from 4 to 11 p.m., and that all food will be fresh, prepared on site and made from scratch. There will be 175-185 employees who will be alcohol awareness trained with an on-line training course in addition to a state-regulated course which is retested every 60 days. Mr. Ziccardi indicated that he expects that the average daily receipts from the sale of food will be approximately 90% with the average daily receipts from the sale of alcohol to be approximately 10%. He also stated that out of seven establishments where he is a licensee, there have been two violations which were dismissed with small fines and no liquor license has ever been revoked.

Patricia Ann Miller, resident agent, testified that she has lived in Howard County for more than two years, is a registered voter, has no felony convictions, and is alcohol awareness certified. Ms. Miller is an authorized person and a 10% shareholder of Texas Roadhouse of Howard County, MD LLC, and is familiar with the rules and regulations governing the sale of alcoholic beverages and that she will abide by them. She testified that she will visit the establishment every 4 to 6 weeks. Ms. Miller indicated that she has served as a resident agent in Howard County previously and has had no prior violations.

There was one exhibit entered into the record: Exhibit 1 - Menu for Texas Roadhouse.

Pursuant to Rule 6.13 of the Liquor Board Rules and Regulations, the Applicants waived their right to request the Liquor Board to hear the case.

Based on the evidence presented at the hearing, the Alcoholic Beverage Hearing Board

makes the following Findings of Fact and Conclusions of Law:

### **FINDINGS OF FACT**

1. The Hearing Board finds that Patricia Ann Miller and Jeffrey Ziccardi, on behalf of Texas Roadhouse of Howard County, MD, LLC, t/a Texas Roadhouse, have applied for a new Class B Beer, Wine, and Liquor 7-day on-sale license for a 7,163 square-foot restaurant, located at 8820 Stanford Boulevard, Columbia, Maryland 21045.

2. The Hearing Board finds that the Applicants are fit and proper persons to hold an alcoholic beverage license.

3. The Hearing Board finds that Patricia Ann Miller has been a Howard County resident for more than two years, is a registered voter, and a member and 10% shareholder of Texas Roadhouse of Howard County, MD, LLC, t/a Texas Roadhouse.

4. The Hearing Board finds that the granting of the application is necessary for the accommodation of the public.

5. The Hearing Board finds that the granting of the application will not unduly disturb the peace and safety of the residents of the neighborhood.

### **CONCLUSIONS OF LAW**

1. The Hearing Board concludes that Patricia Ann Miller and Jeffrey Ziccardi, on behalf of Texas Roadhouse of Howard County, MD, LLC, t/a Texas Roadhouse, have applied for a new Class B Beer, Wine, and Liquor 7-day on-sale license for a 7,163 square-foot restaurant, located at 8820 Stanford Boulevard, Columbia, Maryland 21045.

2. The Hearing Board concludes that the Applicants are fit and proper persons to hold an alcoholic beverage license.

3. The Hearing Board concludes that Patricia Ann Miller meets the requirements of

Rules 1.09(T), 1.09(U), 2.06, and 2.10 of the Liquor Board Rules and Regulations concerning resident agent qualifications.

4. The Hearing Board concludes that the granting of the application is necessary for the accommodation of the public.

5. The Hearing Board concludes that the granting of this application would not unduly disturb the peace and safety of the neighborhood.

### **ORDER**

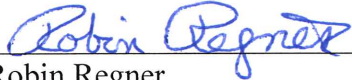
For the foregoing reasons, it is this 30<sup>th</sup> day of August, 2017, by the Alcoholic Beverage Hearing Board of Howard County **ORDERED** that the application of Patricia Ann Miller and Jeffrey Ziccardi, on behalf of Texas Roadhouse of Howard County, MD, LLC. t/a Texas Roadhouse, for a new Class B Beer, Wine, and Liquor 7-day on-sale license for a 7,163 square-foot restaurant, located at 8820 Stanford Boulevard, Columbia, Maryland 21045, be and the same is hereby **GRANTED**, subject to the following conditions:

- (a) That the Applicants comply with all State and County laws and regulations; and
- (b) That the Applicants satisfy any requirements necessary to obtain the license by October 31, 2017, unless that deadline is extended by the Board upon good cause shown; and
- (c) Failure to comply with these conditions shall render this Proposed Decision and Order null and void.



ATTEST:

ALCOHOLIC BEVERAGE HEARING  
BOARD OF HOWARD COUNTY,  
MARYLAND



Robin Regner  
Acting Administrator



Heather Gaetano, Chairperson

ABSENT

Mary Bird, Vice-Chairperson

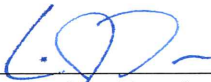
REVIEWED BY HOWARD COUNTY  
OFFICE OF LAW  
GARY W. KUC  
COUNTY SOLICITOR



Charles C. Feaga, Member

ABSENT AT TIME OF SIGNING

Gene Ryan, Member



Lewis Taylor, Esquire  
Assistant County Solicitor



Charley C. Sung, Member