

IN THE MATTER OF THE	*	BEFORE THE ALCOHOLIC
APPLICATION OF GEORGE DANIEL	*	
BELLEVILLE AND LILLY MYUNG	*	BEVERAGE HEARING BOARD
KIM ON BEHALF OF MIN BROS., INC.,	*	
t/a BONCHON, FOR A NEW CLASS B	*	FOR
BEER, WINE AND LIQUOR 7-DAY	*	
ON- SALE LICENSE	*	HOWARD COUNTY, MARYLAND

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 January 14, 2014, the Hearing Board heard the application of George Daniel Belleville and Lilly Myung Kim (“Applicants”), on behalf of Min Bros., Inc., t/a Bonchon, (“Min Bros., Inc.”), for a new Class B Beer, Wine, and Liquor 7-day on-sale license for a 2,000 square foot restaurant located at 3419-102 Plumtree Drive, Ellicott City, MD 21042. The hearing was properly advertised pursuant to Article 2B of the Annotated Code of Maryland. The Applicants were represented by Preston Pairo, III, Esquire. There were no protestants who appeared in opposition to the application.

The following documents were presented to the Hearing Board and entered into the record: the application for Min Bros., Inc.; a copy of the floor plan; a copy of the Articles of Incorporation of Min Bros., Inc.; a copy of the Resolution to Change Principal Office or Resident Agent of Min Bros., Inc.; a copy of the Articles of Amendment for Min Bros., Inc; the background investigation questionnaire from Lilly Myung Kim; a copy of an Order for Change of Name for Lilly Myung Kim; a copy of the voter notification card for Lilly Myung Kim; a copy of the Maryland Motor Vehicle driving record for Lilly Myung Kim; a copy of the Maryland driver’s license of Lilly Myung Kim; a copy of the Certificate of Naturalization for Myung Soon Kim; the background investigation questionnaire from George Daniel Belleville; a copy of the United States Passport for George Daniel Belleville; a copy of the Maryland driver’s license for George Daniel Belleville; a copy of a receipt from CJIS Central Repository for

George Daniel Belleville; a memorandum dated December 13, 2013, from the Liquor Board to the Alcoholic Beverage Inspector, the Department of Inspections, Licenses and Permits, the Bureau of Environmental Health, and the Department of Planning and Zoning; the background investigations of the Applicants by the Alcoholic Beverage Inspector dated December 31, 2013; a copy of the Maryland Criminal Justice Information System record for Lilly Myung Kim; an e-mail dated December 18, 2013, from the Department of Inspections, Licenses and Permits; a memorandum dated December 20, 2013, from the Department of Planning and Zoning; a memorandum dated January 6, 2014, from the Bureau of Environmental Health; a letter dated December 13, 2013, to the Department of Finance; a letter dated January 13, 2014, from the Department of Finance; a letter dated December 13, 2013, to the Comptroller of Maryland; a letter dated December 30, 2013, from the Comptroller of Maryland; a fax transmission to the Applicants' attorney enclosing a letter dated December 13, 2013, with notification of the hearing date and the necessity to advertise; and an e-mail memorandum dated January 2, 2014, from the Alcoholic Beverage Inspector stating the premises had been posted.

SUMMARY OF TESTIMONY

Hae Park was sworn in as the translator for the Applicant, Lilly Myung Kim.

Lilly Myung Kim, 90% shareholder for Min Bros., Inc., was sworn and testified that she has been a resident of Howard County for more than two years, is a registered voter, and has taken an alcohol awareness program. Ms. Kim testified that she has experience in the restaurant business, as she was employed at a restaurant in Virginia, which sold alcoholic beverages, from 2002 until 2007. Ms. Kim testified that during that time, there were no violations.

Ms. Kim testified that she will be at the restaurant for approximately 30 hours per week, and that when she is not there, she has surveillance cameras, which allow her to have visual access to the restaurant 24 hours per day. Ms. Kim testified that she will be the manager, and will oversee the restaurant. Ms. Kim testified that she will not be involved in the direct service of alcoholic beverages.

Ms. Kim testified that they have seven kitchen employees, and nine restaurant employees. If the license is approved, Ms. Kim testified that she will hire more employees. Ms. Kim testified that all of the restaurant employees have been TAM certified, and are required to be bilingual. Ms. Kim testified that the employees are given a policy manual that was created by Martin Johnson. Ms. Kim testified that there are currently five employees who have experience

in serving alcoholic beverages, and that her manager, Aiden Chang, has with the restaurant since it opened in July 2012.

Ms. Kim testified that they have seating for 60 customers, and do not have an outside dining area.

Aiden Chang, manager of Bonchon, was sworn and testified that he spends approximately 30 to 40 hours per week in the restaurant. Mr. Chang testified he has been working at Bonchon since it opened, and that he has prior restaurant experience. Mr. Chang testified that he worked at Mi Roc Jo restaurant from April 2012 until July 2012. Mr. Chang testified that he also worked at a Korean barbeque restaurant while he was in high school. Mr. Chang testified that he is TAM certified. Mr. Chang testified to the uniqueness of the food served at the restaurant.

Mr. Chang testified they have been allowing customers to bring their own alcoholic beverages to the restaurant, and that they have not had any problems. Mr. Chang testified that, unfortunately, when customers bring their own alcoholic beverages, they stay longer and order less food.

Mr. Chang testified that their policy is to card anyone who appears to be under the age of 40. Mr. Chang testified that if a customer appears to be under the age of 21, servers and hostesses will be told to observe them carefully. If necessary, they will be removed from the restaurant. Mr. Chang testified that they will predominantly offer beer and wine, since that seems to be the customer's choice.

Mr. Chang testified that they have surveillance cameras inside the restaurant that can be viewed in the office. Mr. Chang testified that the office is locked and requires a code to open, which only he and Ms. Kim have access to. Mr. Chang testified that they have a 24 inch screen to view the restaurant, which is located in the office. Mr. Chang testified that the system stores images up to one year.

Mr. Chang testified that he is familiar with the Liquor Board's rules and regulations.

George Belleville, 10% stockholder of Min Bros., Inc., t/a Bonchon, was sworn and testified that he has been a Howard County resident since 1988, and is a registered voter. Mr. Belleville testified that he was a Howard County police officer from 1986 through 2006, and therefore, has experience with alcoholic beverage violations. Mr. Belleville also testified that he

has been the resident agent for Asian Court since July 2012, during which time there have been no violations.

Mr. Belleville testified that he plans to stop unannounced at Bonchon to check records and assure that they are in compliance with the rules and laws. Mr. Belleville testified that he plans to stop at the restaurant monthly for approximately five to twenty minutes. Mr. Belleville testified that the restaurant is an ideal area to observe, because it is a large square. Mr. Belleville testified that the surveillance cameras show the entire area of Bonchon.

The following Exhibits were entered into the record:

Exhibit #1 – certification of advertisement from the Howard County Times and the Baltimore Sun

Exhibit #2 – 10 photographs (7 photographs of various meals offered, an aerial photograph of the location of Bonchon, a photograph of the interior of Bonchon, and a photograph of the exterior of Bonchon)

Exhibit #3 – a menu for the restaurant

Exhibit #4 – a 39 page petition signed by persons in support of the application for an alcoholic beverage license for Bonchon

Exhibit #5 – a packet containing alcoholic beverage certifications for Myung Kim, Aiden Chang, George Belleville, Seul Jeon, Christina Choi, Jeeyoung Han, Injung Choo, Jessica Lang, Alice Pak, June Lee, and Ryan Han, and the employee policy at BonChon

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

Based on the evidence presented at the hearing, the Hearing Board makes the following Findings of Fact and Conclusions of Law:

FINDINGS OF FACT

1. The Hearing Board finds that George Daniel Belleville and Lilly Myung Kim on behalf of Min Bros., Inc., t/a Bonchon, have applied for a new Class B Beer, Wine, and Liquor 7-day on-sale license for a 2,000 square foot restaurant located at 3419-102 Plumtree Drive, Ellicott City, Maryland 21042.

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 George Daniel Belleville has been a Howard County resident for more than two years, is a registered voter, and 10% owner of Min Bros., Inc., t/a Bonchon.

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 in the neighborhood.

CONCLUSIONS OF LAW

1. The Hearing Board concludes that George Daniel Belleville and Lilly Myung Kim on behalf of Min Bros., Inc., t/a Bonchon, have applied for a new Class B Beer, Wine, and Liquor 7-day on-sale license for a 2,000 square foot restaurant located at 3419-102 Plumtree Drive, Ellicott City, Maryland 21042.

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 George Daniel Belleville meets the requirements of Rules 1.09(S), 1.09(T) 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 the application will not unduly disturb the peace and safety of the residents in the neighborhood.

ORDER

For the foregoing reasons, by a 4 to 0 vote, it is this 10th day of March, 2014, by the Alcoholic Beverage Hearing Board of Howard County, Maryland **ORDERED** that the application of George Daniel Belleville and Lilly Myung Kim on behalf of Min Bros., Inc., t/a Bonchon, for a new Class B Beer, Wine, and Liquor 7-day on-sale license for a 2,000 square foot restaurant located at 3419-102 Plumtree Drive, Ellicott City, Maryland 21042, be, and the same is, hereby **GRANTED** subject to the following conditions:

1. That this **PROPOSED DECISION AND ORDER** shall become final when the Applicants obtain the license and comply with the following conditions:

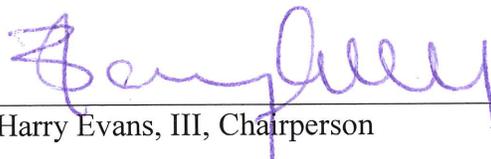
- (a) That the Applicants comply with all State and County rules and regulations; and
- (b) Failure to comply with these conditions and obtain the license before March 31, 2014, shall render this proposed Decision and Order null and void.

ATTEST:

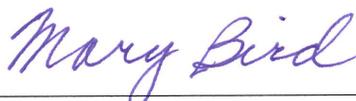
**ALCOHOLIC BEVERAGE HEARING
BOARD OF HOWARD COUNTY,
MARYLAND**



Denise E. King
Administrator



Harry Evans, III, Chairperson



Mary Bird, Member

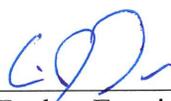
REVIEWED BY HOWARD COUNTY
OFFICE OF LAW
MARGARET ANN NOLAN
COUNTY SOLICITOR



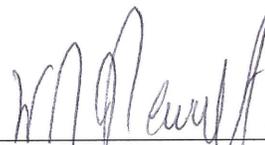
Charles C. Feaga, Member

ABSENT

Lisa Lopez Friedman, Member



Lewis Taylor, Esquire
Assistant County Solicitor



William Neault, Member