

IN THE MATTER OF THE	*	BEFORE THE ALCOHOLIC
APPLICATION OF HYUN AH KO	*	
AND SUNG WOOK KO, ON BEHALF	*	BEVERAGE HEARING BOARD
OF KOS, INC., t/a MID ATLANTIC	*	
SEAFOOD RESTAURANT, FOR A	*	FOR
CLASS B BEER, WINE, AND LIQUOR	*	
7-DAY ON-SALE LICENSE	*	HOWARD COUNTY, MARYLAND
	*	
	*	Case No. 17-36

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 August 8, 2017, the Hearing Board heard the application of Hyun Ah Ko and Sung Wook Ko (the “Applicants”), on behalf of KOS, Inc., t/a Mid Atlantic Seafood Restaurant (“Mid Atlantic”), for a new Class B Beer, Wine, and Liquor 7-day on-sale license for a 4,630 square foot restaurant located at 9469 Baltimore National Pike, Unit G, Ellicott City, Maryland 21042. 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 Jay S. Yoo, 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

Young Kim, was sworn and testified that he is a Maryland court-certified Korean language interpreter, and that he would be assisting the Applicants with their testimony. Hyun

Ah Ko, resident agent and 50% shareholder, was sworn and testified that she will be the full-time manager and operator of the premises. She has been a resident of Howard County for 15 years and is a registered voter. She stated that she and her husband have previous restaurant experience. Ms. Ko has read and understands the rules and regulations governing the sale of alcoholic beverage and stated that she will abide by them. She will maintain invoices and records and make them available for inspection if so requested. She has no criminal or traffic violations. Ms. Ko has taken the alcohol awareness certification class and submitted for the record a certificate from the ServSafe Alcohol program. Ms. Ko testified that this restaurant will be a seafood restaurant and that they are applying for a liquor license at the request of their patrons. Ms. Ko submitted a petition in support of this request signed by numerous patrons, which petition the Board accepted, giving it the weight they believe it deserves. Ms. Ko testified that there is ample parking at this restaurant, the entrance and exits are easily accessible, and that there will be no traffic safety issues at this location. She stated that approval of this liquor license will not affect other businesses in the immediate area. The proposed hours of operation, if the license is approved, will be from 10 a.m. to 11 p.m.

Sun Wook Ko, 50% owner, was sworn and testified that he has been alcohol awareness certified. He testified that there are currently 7 employees, however, if this license is approved, a bartender and additional servers will be hired, who will also be alcohol awareness certified. Mr. Ko testified that he has no criminal record but does have traffic citations. He is a long-time resident of Howard County and has read and understands the rules and regulations governing the sale of alcoholic beverage and stated that he will abide by them. Mr. Ko stated that the restaurant will be involved with and will make donations to the local community.

The following Exhibits were entered into the record:

Exhibit 1 – Menu

Exhibit 2 – ServSafe Alcohol advanced certificate for Sung Ko dated 2/5/17.

Exhibit 3 - ServSafe Alcohol advanced certificate for Hyun Ko dated 2/5/17.

Exhibit 4 – Petition in Support of the New Class B Liquor License

Exhibit 5 – A list of beer, wine, and liquor that will be served

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 of Hyun Ah Ko and Sung Wook Ko, on behalf of KOS, Inc., t/a Mid Atlantic Seafood Restaurant, have applied for a new Class B Beer, Wine, and Liquor 7-day on-sale license for a 4,630 square foot restaurant located at 9469 Baltimore National Pike, Unit G, 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 Hyun Ah Ko has been a Howard County resident for more than two years and is a registered voter.

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 of Hyun Ah Ko and Sung Wook Ko, on

behalf of KOS, Inc., t/a Mid Atlantic Seafood Restaurant, have applied for a new Class B Beer, Wine, and Liquor 7-day on-sale license for a 4,630 square foot restaurant located at 9469 Baltimore National Pike, Unit G, 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 Hyun Ah Ko 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 the application would not unduly disturb the peace and safety of the neighborhood.

ORDER

For the foregoing reasons, it is this 19th day of September, 2017, by the Alcoholic Beverage Hearing Board of Howard County **ORDERED** that the application of Hyun Ah Ko and Sung Wook Ko, on behalf of KOS, Inc., t/a Mid Atlantic Seafood Restaurant, for a new Class B Beer, Wine, and Liquor 7-day on-sale license for a 4,630-square foot restaurant located at 9469 Baltimore National Pike, Unit G, Ellicott City, Maryland, be and the same is hereby **GRANTED**, subject to the following conditions:

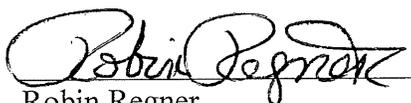
- (a) That the Applicants comply with all State and County laws and regulations; and
- (b) That the Applicants satisfy any requirements necessary to obtain the license by January 30, 2017, unless that deadline is extended by the Board

upon good cause shown; and

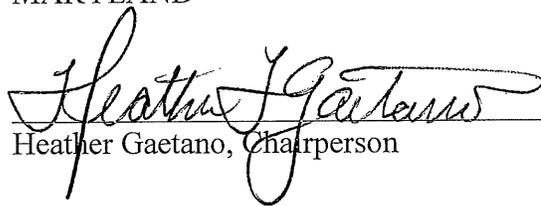
- (c) Failure to comply with these conditions shall render this Proposed Decision and Order null and void.

ATTEST:

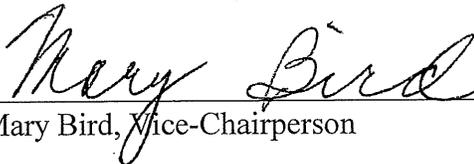
ALCOHOLIC BEVERAGE HEARING
BOARD OF HOWARD COUNTY,
MARYLAND



Robin Regner
Acting Administrator



Heather Gaetano, Chairperson



Mary Bird, Vice-Chairperson

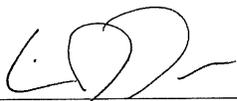
REVIEWED BY HOWARD COUNTY
OFFICE OF LAW
GARY W. KUC
COUNTY SOLICITOR



Charles C. Feaga, Member

ABSENT

Gene Ryan, Member



Lewis Taylor, Esquire
Assistant County Solicitor

ABSENT

Charley C. Sung, Member