

IN THE MATTER OF THE	*	BEFORE THE ALCOHOLIC
APPLICATION OF EDWARD	*	
RANDOLPH MARRINER, MARY	*	BEVERAGE HEARING BOARD
ELIZABETH MARRINER, AND	*	
RACHAEL HAYES MULL ON BEHALF	*	FOR
OF VICTORIA RESTAURANT GROUP,	*	
LLC, T/A FOOD PLENTY, FOR AN	*	HOWARD COUNTY, MARYLAND
EXTENSION OF PREMISES ON A	*	
CLASS B, BEER, WINE, AND	*	CASE NO.: 19-24
LIQUOR 7-DAY, ON-SALE LICENSE	*	

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 May 28, 2019, the Hearing Board heard the application of Edward Randolph Marriner, Mary Elizabeth Marriner, and Rachael Hayes Mull (“Applicants”) on behalf of Victoria Restaurant Group, LLC, t/a Food Plenty, (“Food Plenty”) for an extension of premises on the Class B, Beer, Wine, and Liquor 7-day on-sale license, from a 9,825 square foot restaurant with a 494 square foot outdoor patio to a 9,825 square foot restaurant with a 2,159 square foot outdoor patio, located at 12240 Clarksville Pike, Clarksville, MD 21029.

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 Thomas Coale, 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

Edward Randolph Marriner, 30% owner and resident agent licensee for Food Plenty testified that the restaurant is on the second floor of the building and there is a wall that surrounds the outside and contains the area. He stated that at the original hearing before the Board for the restaurant, on August 23, 2018, they applied for the whole space but Planning and Zoning would only approve 494 square feet without a red line revision. He testified that since then, Planning and Zoning revisited the property and agreed that they would not fight the licensing of the entire patio area.

The following exhibit was entered into the record:

Applicants' Exhibit #1 – Floor plan showing the extension of premises

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 Edward Randolph Marriner, Mary Elizabeth Marriner, and Rachael Hayes Mull on behalf of Victoria Restaurant Group, LLC, Food Plenty, applied for an extension of premises on the Class B, Beer, Wine, and Liquor 7-day on-sale license, from a 9,825 square foot restaurant with a 494 square foot outdoor patio to a 9,825 square foot restaurant with a 2,159 square foot outdoor patio, located at 12240 Clarksville Pike, Clarksville, MD 21029.

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 Edward Randolph Marriner has been a Howard County resident for more than two years, is a registered voter, and 30% shareholder of Food Plenty.

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 Edward Randolph Marriner, Mary Elizabeth Marriner, and Rachael Hayes Mull on behalf of Victoria Restaurant Group, LLC, Food Plenty, have applied for an extension of premises on the Class B, Beer, Wine, and Liquor 7-day on-sale license, from a 9,825 square foot restaurant with a 494 square foot outdoor patio to a 9,825 square foot restaurant with a 2,159 square foot outdoor patio, located at 12240 Clarksville Pike, Clarksville, MD 21029.

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 Edward Randolph Marriner meets the requirements of Rules 1.10(S), 1.10(T), and 2.06 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 will not unduly disturb the peace and safety of the neighborhood.

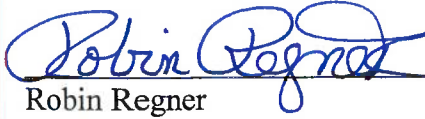
ORDER

For the foregoing reasons, it is this 25th day of June, 2019, by the Alcoholic Beverage Hearing Board of Howard County, **ORDERED**, that the application of Edward Randolph Marriner, Mary Elizabeth Marriner, and Rachael Hayes Mull on behalf of Victoria Restaurant Group, LLC, t/a Food Plenty, for an extension of premises on the Class B, Beer, Wine, and Liquor 7-day on-sale license, from a 9,825 square foot restaurant with a 494 square foot outdoor patio to a 9,825 square foot restaurant with a 2,159 square foot outdoor patio, located at 12240 Clarksville Pike, Clarksville, MD 21029, be and the same is hereby **GRANTED**, subject to the following conditions:

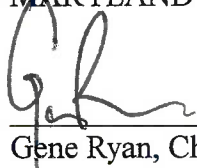
- (a) That the Applicants comply with all State and County law and regulations; and
- (a) That the Applicants satisfy any requirements necessary to obtain the license by August 6, 2019, unless that deadline is extended by the Board upon good cause shown; and
- (b) Failure to comply with these conditions shall render this Proposed Decision and Order null and void.

ATTEST:

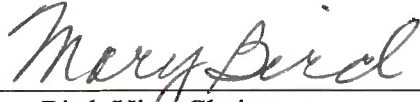
ALCOHOLIC BEVERAGE HEARING
BOARD OF HOWARD COUNTY,
MARYLAND



Robin Regner
Board Administrator



Gene Ryan, Chairperson



Mary Bird, Vice-Chairperson

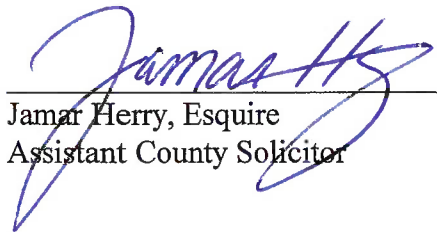
REVIEWED BY HOWARD COUNTY
OFFICE OF LAW
GARY W. KUC
COUNTY SOLICITOR



Harry Evans, Member



Heather Gaetano, Member



Jamar Herry, Esquire
Assistant County Solicitor



Charley C. Sung, Member