

IN THE MATTER OF THE	*	BEFORE THE ALCOHOLIC
APPLICATION OF RYAN DAVIS	*	BEVERAGE HEARING BOARD
ROTH ON BEHALF OF HIGHLAND	*	FOR
RESTAURANT GROUP, LLC, T/A	*	HOWARD COUNTY, MARYLAND
BREWER’S ART TAVERN, FOR A	*	
NEW CLASS D BEER, WINE, AND	*	Case No.: 19-13
LIQUOR 7-DAY ON-SALE LICENSE	*	

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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 March 12, 2019, the Hearing Board heard the application of Ryan Davis Roth (“Applicant”) on behalf of Highland Restaurant Group, LLC, t/a Brewer’s Art Tavern (“Brewer’s Art”), for a new Class D Beer, Wine, and Liquor, 7-day on-sale license for a 2,500-square foot tavern with a 380-square foot outdoor patio located at 13380 Clarksville Pike, Suite D-E, Highland, Maryland 20777.

The hearing was properly advertised and the property posted pursuant to the Alcoholic Beverages Article of the Annotated Code of Maryland. The Applicant was represented by Thomas Meachum, 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**

As a preliminary matter, Thomas Meachum requested that the trade name referenced on the application and in the legal ad as “Brewer’s Art HoCo” be changed to

“Brewer’s Art Tavern.” The Board agreed to this request.

Ryan Davis Roth, 100% owner and managing member, was sworn and testified that he has resided in Howard County for 15 years, is a registered voter and is alcohol awareness certified. Mr. Roth testified that he has previous experience in the operation of other businesses.

Mr. Roth testified that this tavern is an off shoot of the Brewer’s Art restaurant located in Baltimore City, however, he was not involved in that business but is their landlord and they have a licensing agreement. Mr. Roth testified that he plans to serve the beer made by Brewer’s Art in Baltimore, but he will acquire that beer directly from a distributor, in accord with current State law.

Mr. Roth explained that a Class D license was requested as he expects to sell more alcohol than food at this tavern. He stated that this establishment will have a casual atmosphere and will be more of a tavern than a sit-down restaurant. Mr. Roth submitted and the Board accepted *Applicant’s Exhibit 1 – Menu* into the record.

Mr. Roth testified that he took over an existing restaurant, Highland Tavern, which was in operation for eight years but ceased its operation in October of 2018. Mr. Roth testified that he assumed the lease and made renovations to the establishment.

Mr. Roth testified that the restaurant already had a patio located directly in front of the main entrance but separated by a four-foot walkway. He testified that even though the patio is not connected to the building, it only has one way in and out, physical barriers are present and dedicated staff will be stationed on the patio whenever there are customers present. Mr. Roth testified that the staff stationed on the patio will have the technology necessary to take payment from customers without having to leave the patio area. He

stated that the patio is currently approved for eight seats, however, he anticipates increasing that number to sixteen seats in the future.

Mr. Roth testified that there will be 25-30 employees at this tavern and they will all be TAMS certified. Since he will be sole owner, he expects to spend a significant amount of time at the tavern. Mr. Roth testified that he has read and understands the Board's Rules and will abide by them. He hopes to open the tavern by the end of March.

Pursuant to Rule 6.13 of the Liquor Board Rules and Regulations, the Applicant waived his 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 Ryan Davis Roth, on behalf of Highland Restaurant Group, LLC, t/a Brewer's Art Tavern, has applied for a new Class D Beer, Wine, and Liquor, 7-day on-sale license for a 2,500-square foot tavern with a 380-square foot outdoor patio located at 13380 Clarksville Pike, Suite D-E, Highland, Maryland 20777.
2. The Hearing Board finds that the Applicant is a fit and proper person to hold an alcoholic beverage license.
3. The Hearing Board finds that Ryan Davis Roth has been a Howard County resident for more than two years, is a registered voter, and has a 100% financial interest in Brewer's Art Tavern.
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 this application will not unduly disturb the peace and safety of the residents of the neighborhood.

### CONCLUSIONS OF LAW

1. The Hearing Board concludes that Ryan Davis Roth, on behalf of Highland Restaurant Group, LLC, t/a Brewer's Art Tavern, has applied for a new Class D Beer, Wine, and Liquor, 7-day on-sale license for a 2,500-square foot tavern with a 380-square foot outdoor patio located at 13380 Clarksville Pike, Suite D-E, Highland, Maryland 20777.

2. The Hearing Board concludes that the Applicant is a fit and proper person to hold an alcoholic beverage license.

3. The Hearing Board concludes that Ryan Davis Roth 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 would not unduly disturb the peace and safety of the neighborhood.

### ORDER


For the foregoing reasons, it is this 26<sup>th</sup> day of March, 2019, by the Alcoholic Beverage Hearing Board of Howard County, **ORDERED**, that the application of Ryan Davis Roth, on behalf of Highland Restaurant Group, LLC, t/a Brewer's Art Tavern, for a new Class D Beer, Wine, and Liquor, 7-day on-sale license for a 2,500-square foot tavern with a 380-square foot outdoor patio located at 13380 Clarksville Pike, Suite D-E,

Highland, Maryland 20777, be and the same is hereby **GRANTED**, subject to the following conditions:

- (a) That the Applicant complies with all State and County laws and regulations; and
- (b) That the Applicant satisfies any requirements necessary to obtain the license by June 26, 2019, 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:  
BOARD OF HOWARD COUNTY,

ALCOHOLIC BEVERAGE HEARING  
MARYLAND


  
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Robin Regner  
Board Administrator

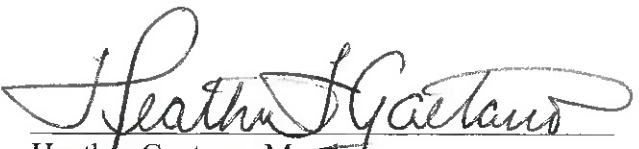
  
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Gene Ryan, Chairperson


  
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Mary Bird, Vice Chairperson

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

Absent AT TIME OF SIGNING  
Charles C. Feaga, Member

  
\_\_\_\_\_  
Lewis Taylor, Esquire  
Senior Assistant County Solicitor

  
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Heather Gaetano, Member

  
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Charley C. Sung, Member