

IN THE MATTER OF THE	*	BEFORE THE ALCOHOLIC
APPLICATION OF CHARLES	*	BEVERAGE HEARING BOARD
SAVILLE JOHNSON, JR., MANUEL	*	FOR
SANCHEZ ORTEGA AND DIEGO	*	HOWARD COUNTY, MARYLAND
SANCHEZ FABELO ON BEHALF OF	*	Case No.: 21-20
BUFI OF COLUMBIA, LLC FOR A	*	
NEW CLASS B BEER, WINE AND	*	
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 May 11, 2021, the Hearing Board heard the application of Charles Saville Johnson, Jr., Manuel Sanchez Ortega and Diego Sanchez Fabelo (the “Applicants”) on behalf of BuFi of Columbia, LLC t/a BurgerFi (“BurgerFi”) for a New Class B, Beer, Wine and Liquor, 7-day on sale license for a 2,970 square foot restaurant located at 6181 Old Dobbin Lane, Suite 200, Columbia, MD 21045.

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

Diego Sanchez Fabelo, 10% interest holder and proposed licensee, was sworn and

testified as follows:

Mr. Fabelo testified that this location is one of several of the BurgerFi restaurant group, none of which have ever had a liquor board violation, other than one infraction at another location, which resulted in only allowing Managers and Assistant Managers to serve alcohol.

Mr. Fabelo testified that the concept of BurgerFi is to serve high-quality foods, much of it organic and never frozen. Mr. Fabelo testified that the restaurant uses recycled materials for packaging, furniture and lighting, and their food offerings include vegan, gluten-free and vegetarian options.

Mr. Fabelo testified that the restaurant has been open since December 2020 and many customers are asking for alcoholic beverages. Mr. Fabelo testified that all employees who serve alcohol beverages will be alcohol awareness certified and that their policy is one ID, one drink; meaning one person cannot buy two drinks at once.

Mr. Fabelo testified that he will serve as the Operations Manager and is TIPS certified and has received the BurgerFi training for Operations Managers and General Manger, which includes alcohol regulation training. Mr. Fabelo stated that in his role with BurgerFi he travels to six locations, most of which have liquor licenses and he audits the locations for appropriate food and health practices.

Mr. Fabelo testified that BurgerFi is very invested in the local communities it serves, and they support the same by hosting fundraising events for schools, church groups, and other organizations, donating 25% of profits from fundraising events to the groups. Mr. Fabelo stated that this location has already held three fundraisers since they opened.

Charles Saville Johnson, Jr., proposed resident agent, was sworn in and testified as

follows:

Mr. Johnson testified that he is a Howard County resident, a registered voter, a 10% owner and is TAMS certified. Mr. Johnson testified that for over three years, he has served as a resident agent for several other restaurants in Howard County none of which have had a liquor board violation. Mr. Johnson stated that he is retired and visits the restaurants on a weekly or bi-weekly basis and checks records and observes how alcohol beverages are served.

Manuel Sanchez Ortega, 80% owner of BurgerFi Columbia, LLC, was sworn in and testified as follows:

Mr. Ortega testified that he operates six restaurants in Maryland and one in Virginia and is developing three new restaurants in the Howard County area. Mr. Ortega testified that as the primary owner he meets with all his managers once a week to remain involved in the operations while not directly working in the restaurants.

The following Exhibit was accepted into the record:

*1. BurgerFi Menu*

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 Charles Saville Johnson, Jr., Manuel Sanchez Ortega and Diego Sanchez Fabelo on behalf of BuFi of Columbia, LLC t/a BurgerFi have applied for a New Class B, Beer, Wine and Liquor, 7-day on sale license for a 2,970 square

foot restaurant located at 6181 Old Dobbin Lane, Suite 200, Columbia, MD 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 Charles Saville Johnson, Jr. is a Howard County resident and 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 Charles Saville Johnson, Jr., Manuel Sanchez Ortega and Diego Sanchez Fabelo on behalf of BuFi of Columbia, LLC t/a BurgerFi have applied for a New Class B, Beer, Wine and Liquor, 7-day on sale license for a 2,970 square foot restaurant located at 6181 Old Dobbin Lane, Suite 200, Columbia, MD 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 Charles Saville Johnson, Jr. 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 7<sup>th</sup> day of July, 2021, by the Alcoholic Beverage Hearing Board of Howard County, **ORDERED** that the application of Charles Saville Johnson, Jr., Manuel Sanchez Ortega and Diego Sanchez Fabelo on behalf of BuFi of Columbia, LLC t/a BurgerFi for a New Class B, Beer, Wine and Liquor, 7-day on sale license for a 2,970 square foot restaurant located at 6181 Old Dobbin Lane, Suite 200, Columbia, MD 21045, be and the same is hereby **GRANTED**, subject to the following conditions:

- (a) That the Applicants comply with all State and County Rules and Regulations; and
- (b) That the Applicants satisfy any requirements necessary to obtain the license by September 23, 2021, 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**



Ashley Aguilar  
Board Administrator



Mary Bird, Chairperson



Harry Evans, Vice-Chairperson

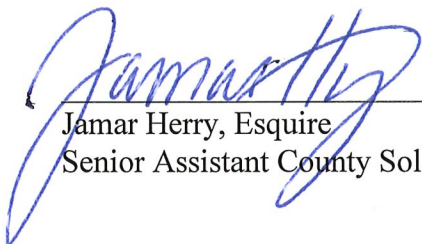


Charley Sung, Member



Steven Chen, Member

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



Jamar Herry, Esquire  
Senior Assistant County Solicitor

*not available @ time of signing*  
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Claire Kim, Member