

IN THE MATTER OF THE	*	BEFORE THE ALCOHOLIC
APPLICATION OF STEVEN	*	
CARL MCCLUNE AND JOSEPH	*	BEVERAGE HEARING BOARD
JOHN REESE ON BEHALF OF	*	
BARE BONES OF HOWARD	*	FOR
COUNTY, INC T/A BARE BONES	*	
GRILL & BAR FOR AN EXTENSION	*	HOWARD COUNTY, MARYLAND
OF PREMISES FOR A CLASS B,	*	
BEER, WINE AND LIQUOR	*	Case No.: 21-49
7-DAY 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 October 12, 2021, the Hearing Board heard the application of Steven Carl McClune and Joseph John Reese (the “Applicants”), on behalf of Bare Bones of Howard County, Inc., t/a Bare Bones Grill & Bar (“Bare Bones”), for an extension of premises for a Class B, Beer, Wine and Liquor 7-Day License for a 4,300 sq. ft. restaurant with a 694 sq. ft. patio located at 9150 Baltimore National Pike, Ellicott City, MD 21042.

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 Mr. Martin Johnson 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**

Derek Reese, General Manager, was sworn in and testified before the Board.

Mr. Reese testified to the floor plan of the restaurant. Mr. Reese stated there would be planters in the outdoor space and ropes to prevent people from walking off the curb into the street. Mr. Reese stated that a bench separates the business from the store next door and that anyone needing to get to other stores in the strip mall would have to walk through the outdoor table area. Mr. Reese stated that the outdoor seating area will be seasonal and has been in the plans since 1998. Mr. Reese stated that the outdoor area has been approved by the landlord of the property and the landlord will allow the placement of a barrier to block the sidewalk during the hours the outside area is open as an ongoing practice. Mr. Reese stated there is not a lot of foot traffic in the outdoor space and they are constantly monitoring the area. Mr. Reese stated he plans to put up more barriers to prevent people from walking through the outdoor area. Mr. Reese stated he obtained a provisional outdoor seating permit through the County and when it expires in November, he will get a permanent permit for the space. Mr. Reese stated that more solid barriers from the curb to the eating space will be provided.

Joseph Reese, 90% interest holder and proposed licensee, was sworn in and testified before the Board.

Mr. Reese stated he believes this operation will work because since the pandemic, outside seating has become essential. Mr. Reese stated the restaurant has been in business for 33 years and they have been successful, but the pandemic slowed things down. Mr. Reese stated they have never had any violations. Mr. Reese stated he did not think the County would allow a sidewalk to be blocked off once permits are required, but there are few people that walk through the area without the intention of coming into the restaurant.

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 Steven Carl McClune and Joseph John Reese, on behalf of Bare Bones of Howard County, Inc., t/a Bare Bones Grill & Bar ("Bare Bones"), have applied for an extension of premises for a Class B, Beer, Wine and Liquor 7-Day License for a 4,300 sq. ft. restaurant with a 694 sq. ft. patio located at 9150 Baltimore National Pike, Ellicott City, MD 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 Steven Carl McClune, the resident agent applicant, 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 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 Steven Carl McClune and Joseph John Reese, on behalf of Bare Bones of Howard County, Inc., t/a Bare Bones Grill & Bar ("Bare Bones"), have applied for an extension of premises for a Class B, Beer, Wine and Liquor 7-Day License for a 4,300 sq. ft. restaurant with a 694 sq. ft. patio located at 9150 Baltimore National Pike, Ellicott City, MD 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 Steven Carl McClune, the resident agent applicant, 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 the application will not unduly disturb the peace and safety of the residents of the neighborhood.

**ORDER**

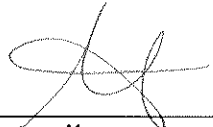
For the foregoing reasons, it is this 3<sup>rd</sup> day of May, 2022, by the Alcoholic Beverage Hearing Board of Howard County **ORDERED** that the application of Steven Carl McClune and Joseph John Reese, on behalf of Bare Bones of Howard County, Inc., t/a Bare Bones Grill & Bar ("Bare Bones") for an extension of premises for a Class B, Beer, Wine and Liquor 7-Day License for a 4,300 sq. ft. restaurant with a 694 sq. ft. patio located at 9150 Baltimore National Pike, Ellicott City, MD 21042., 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;
- (b) That the Applicants satisfy any requirements necessary to obtain the license by August 12, 2022 unless that deadline is extended by the Board upon good cause shown;
- (c) That the Applicants understand the license will not be provided until the appropriate County agencies have approved the extension of premises application.

- (d) That the Applicants provide drawings sufficient to satisfy the Board that the barriers are substantial between the road and the sidewalk.
- (e) 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**

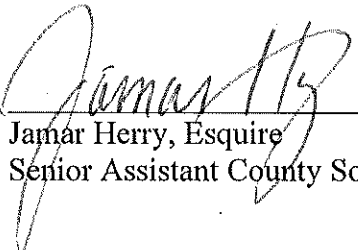
  
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Ashley Aguilar  
Board Administrator

*Kel L. Berg for*  
\_\_\_\_\_  
Mary Bird, Chairperson

*Kel L. Berg for*  
\_\_\_\_\_  
Harry Evans, Vice-Chairperson

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

*Kel L. Berg for*  
\_\_\_\_\_  
Charley Sung, Member

  
\_\_\_\_\_  
Jamar Herry, Esquire  
Senior Assistant County Solicitor

**DISSENT**  
\_\_\_\_\_  
Steve Chen, Member

*Kel L. Berg for*  
\_\_\_\_\_  
Claire Kim, Member