

IN THE MATTER OF THE	*	BEFORE THE ALCOHOLIC
APPLICATION OF MICHAEL	*	
STEPHEN KOSMAS AND	*	BEVERAGE HEARING BOARD
GEORGIOS ALIGEORGAS ON	*	
ON BEHALF OF THREE RED	*	FOR
APPLES, LLC, T/A XENIA AUTHENTIC	*	
GREEK KITCHEN, FOR A NEW	*	HOWARD COUNTY
CLASS B, BEER, WINE, AND LIQUOR	*	
7-DAY ON-SALE LICENSE	*	Case No.:18-41
	*	

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 September 11, 2018, the Hearing Board heard the application of Michael Stephen Kosmas and Georgios Aligeorgas (the “Applicants”), on behalf of Three Red Apples, LLC, t/a Xenia Authentic Greek Kitchen (“Xenia”), for a new Class B, Beer, Wine, and Liquor 7-Day On-Sale License for a 6,539 square foot restaurant located at 8850 Columbia 100 Parkway, Unit 104, 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, 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

Georgios Aligeorgas, 45% owner and managing partner of Xenia and an applicant for the liquor license, was sworn and testified before the Board.

Mr. Aligeorgas testified that he has been in the restaurant business for over thirty years and has never had a liquor violation at any of the restaurants where he has had an interest or license. He stated that he has read and understands the Liquor Board Rules and Regulations and agrees to abide by them.

He testified that he is TIPS certified and all the managers and bar tenders will also be TIPS certified. Mr. Aligeorgas said that the restaurant will have written rules of procedure regarding alcohol sales and each employee will have a copy and must sign that they understand them.

Mr. Aligeorgas testified to the concept of the restaurant, which is Greek Mediterranean cuisine, mostly seafood, with a showcase in the front. He stated that he will be involved in the community, as he is with his other restaurants in Baltimore City.

The following exhibit was submitted into the record as Applicant's Exhibit #1

- *Xenia Greek Kitchen Menu*

Stephen Kosmas, 10 % owner and proposed resident agent, was sworn and testified before the Board.

Mr. Kosmas testified that he has lived in Howard County for over five years and is a registered voter. He stated that he is an attorney and partner in the Kelley Dryer law firm in Washington, DC and that his firm represents club and restaurant owners in connection with their liquor licenses so he is very aware of the rules and regulations regarding liquor licenses.

Mr. Kosmas testified that he will personally be drafting the written rules and procedures

regarding alcohol for this establishment and that he is currently TIPS certified.

He further testified that he is the President of the Clark's Crossing Condominium Association and the condominium association wrote a letter supporting Mr. Kosmas as the resident agent for Xenia Authentic Greek Kitchen and to his character in general.

The following exhibit was submitted into the record as Applicant's Exhibit #2:

- *Letter from Clark's Crossing Condominium Association*

Pursuant to Rule 6.13 of the Liquor Board Rules and Regulations, the Applicants waived their rights 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 Georgios Aligeorgas and Michael Stephen Kosmas, on behalf of Three Red Apples, LLC, t/a Xenia Authentic Greek Kitchen, have applied for a new Class B, Beer, Wine, and Liquor, 7-day on-sale license for a 6,539 square foot restaurant located at 8850 Columbia 100 Parkway, Unit 104, 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 Mr. Kosmas, the resident agent applicant, 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 Georgios Aligeorgas and Michael Stephen Kosmas, on behalf of Three Red Apples, LLC, t/a Xenia Authentic Greek Kitchen, have applied for a new Class B, Beer, Wine, and Liquor, 7-day on-sale license for a 6,539 square foot restaurant located at 8850 Columbia 100 Parkway, Unit 104, 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 Michael Stephen Kosmas 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.

ORDER

For the foregoing reasons, it is this 27th day of November 2018, by the Alcoholic Beverage Hearing Board of Howard County **ORDERED** that the application of Michael Stephen Kosmas and Georgios Aligeorgas, on behalf of Three Red Apples, LLC, t/a Xenia Authentic Greek Kitchen, for a new Class B, Beer, Wine, and Liquor, 7-day on-sale license for a 6,532 square foot restaurant located at 8850 Columbia 100 Parkway, Unit 104, Columbia, MD 21045, be and the same is hereby **GRANTED**, subject to the following conditions:

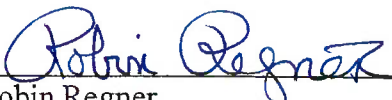
- (a) That the Applicants comply with all State and County laws and regulations;
- (b) That the Applicants satisfy any requirements necessary to obtain the license by

January 31, 2019, unless that deadline is extended by the Board upon good cause shown; and

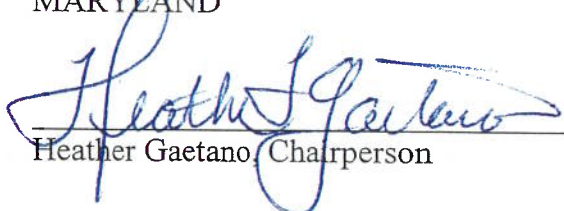
(c) Failure to comply with these conditions shall render this Proposed Decision and Order null and void.

ATTEST:

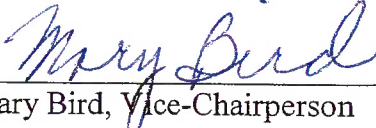
ALCOHOLIC BEVERAGE HEARING
BOARD OF HOWARD COUNTY,
MARYLAND



Robin Regner
Board Administrator



Heather Gaetano, Chairperson

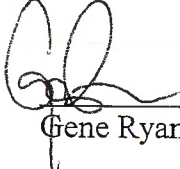


Mary Bird, Vice-Chairperson


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



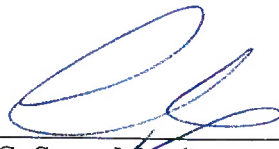
Charles C. Feaga, Member



Gene Ryan, Member



Lewis Taylor, Esquire
Senior Assistant County Solicitor



Charley C. Sung, Member