

IN THE MATTER OF THE	*	BEFORE THE ALCOHOLIC
APPLICATION OF PATRICIA ANNE	*	
MILLER, BRYAN DOUGLAS	*	BEVERAGE HEARING BOARD
MCCRORY, AND ELIZABETH DENISE	*	
MOORE ON BEHALF OF MAGGIANO'S	*	FOR
OF HOWARD COUNTY, INC. t/a	*	
MAGGIANO'S LITTLE ITALY, FOR A	*	HOWARD COUNTY, MARYLAND
SBW LICENSE IN ADDITION TO THE	*	
CLASS B BEER, WINE, AND LIQUOR	*	Case No. 15-27
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 June 9, 2015, the Hearing Board heard the application of Patricia Anne Miller, Bryan Douglas McCrory, and Elizabeth Denise Moore ("Applicants"), on behalf of Maggiano's of Howard County, Inc. t/a Maggiano's Little Italy ("Maggiano's of Howard County, Inc."), for an SBW license in addition to the Class B Beer, Wine, and Liquor 7-day on-sale license for a 8,254 square foot restaurant with a 2,052 square foot outdoor patio located at 10300 Little Patuxent Parkway, Suite 3160, Columbia, Maryland 21044. The hearing was properly advertised pursuant to Article 2B of the Annotated Code of Maryland. The Applicants were represented by Leanne M. Schrecengost, Esquire. There were no protestants who appeared in opposition to the application.

All the documents on file were incorporated into the record by reference. These include the following: a letter dated February 12, 2015, from the Applicants' attorney enclosing the application; the background questionnaires for the Applicants; a memorandum dated May 13, 2015, to the Alcoholic Beverage Inspector, the Department of Inspections, Licenses, and Permits, the Bureau of Environmental Health, and the Department of Planning and Zoning; the background investigation of the Applicants by the Alcoholic Beverage

Inspector dated June 5, 2015; an email dated June 4, 2015, from the Office of the Fire Marshall; a memorandum dated May 29, 2015, from the Department of Planning and Zoning; a memorandum dated May 20, 2015, from the Bureau of Environmental Health; an email dated May 15, 2015, from the Department of Inspections, Licenses, and Permits; a letter dated May 13, 2015, to the Department of Finance; a letter dated May 18, 2015, from the Department of Finance; a letter dated May 13, 2015, to the Comptroller of Maryland; a letter dated May 28, 2015, from the Comptroller of Maryland; a fax transmission to the Applicants' attorney enclosing a letter dated May 13, 2015, with notification of the hearing date and the necessity to advertise; a certification of advertisement from the Howard County Times and the Baltimore Sun; and an email dated May 26, 2015, from the Alcoholic Beverage Inspector stating the premises had been posted.

SUMMARY OF TESTIMONY

Bryan McCrory, President/Treasurer of Maggiano's of Howard County, Inc., t/a Maggiano's Little Italy, was sworn and testified that they are applying for the SBW so that customers may have the option to buy a bottle of wine with their meal or afterwards. Mr. McCrory testified that they have been open for one year, and that they have not had any violations.

Pursuant to Rule 6.13 of the Liquor Board Rules and Regulations, the Applicants' attorney waived the right to request the Liquor Board to hear the case.

FINDINGS OF FACT

1. The Hearing Board finds that Patricia Anne Miller, Bryan Douglas McCrory, and Elizabeth Denise Moore on behalf of Maggiano's of Howard County, Inc. t/a Maggiano's Little Italy, have applied for a SBW license in addition to the Class B Beer, Wine, and Liquor 7-day on-sale license for a 8,254 square foot restaurant with a 2,052 square foot outdoor patio located at 10300 Little Patuxent Parkway, Suite 3160, Columbia, Maryland 21044.

2. The Hearing Board finds that the Applicants are fit and proper persons to hold a SBW license.

3. The Hearing Board finds that Patricia Anne Miller has been a Howard County resident for more than two years, is a registered voter, and a 10% shareholder of Maggiano's of Howard County, Inc. t/a Maggiano's Little Italy.

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 in the neighborhood.

CONCLUSIONS OF LAW

1. The Hearing Board concludes that Patricia Anne Miller, Bryan Douglas McCrory, and Elizabeth Denise Moore on behalf of Maggiano's of Howard County, Inc. t/a Maggiano's Little Italy, have applied for a SBW license in addition to the Class B Beer, Wine, and Liquor 7-day on-sale license for a 8,254 square foot restaurant with a 2,052 square foot outdoor patio located at 10300 Little Patuxent Parkway, Suite 3160, Columbia, Maryland 21044.

2. The Hearing Board concludes that the Applicants are fit and proper persons to hold a SBW license in addition to the Class B Beer, Wine, and Liquor 7-day on-sale license.

3. The Hearing Board concludes that Patricia Anne Miller meets the requirements of Rules 1.09(T), 1.09(U), 2.06, and 2.10 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 in the neighborhood.

ORDER

For the foregoing reasons, it is this 11th day of August, 2015, by the Alcoholic Beverage Hearing Board of Howard County, Maryland, **ORDERED** that the application of Patricia Anne Miller, Bryan Douglas McCrory, and Elizabeth Denise Moore on behalf of Maggiano's of Howard County, Inc., t/a Maggiano's Little Italy, for a SBW license in addition to the Class B Beer, Wine, and Liquor 7-day on-sale license for a 8,254 square foot restaurant with a 2,052 square foot outdoor patio located at 10300 Little Patuxent Parkway, Suite 3160, Columbia, Maryland 21044, be and the same is hereby **GRANTED** subject to the following conditions:

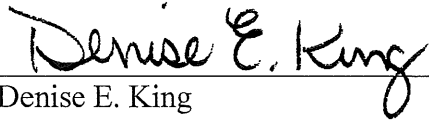
1. That this **PROPOSED DECISION AND ORDER** shall become

final when the Applicants obtain the license and comply with the following conditions:

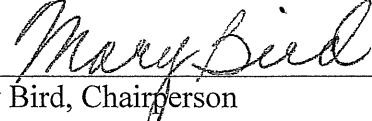
- (a) That the Applicants comply with all State and County rules and regulations; and
- (b) Failure to comply with these conditions and obtain the license by August 31, 2015, shall render this Proposed Decision and Order null and void.

ATTEST:

ALCOHOLIC BEVERAGE HEARING
BOARD OF HOWARD COUNTY,
MARYLAND



Denise E. King
Administrator



Mary Bird, Chairperson




Harry Evans, III, Vice-Chairperson

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

ABSENT
Charles C. Feaga, Member

ABSENT
Heather Gaetano, Member



Lewis Taylor, Esquire
Assistant County Solicitor



Charley C. Sung, Member