

IN THE MATTER OF THE * BEFORE THE ALCOHOLIC
APPLICATION OF ROBERT MICHAEL *
MILLER AND KATHRYN MARIE * BEVERAGE HEARING BOARD
KOTEL ON BEHALF OF T.G.I. *
FRIDAY'S OF HOWARD COUNTY, INC.,* FOR
t/a T.G.I. FRIDAY'S, FOR A RESIDENT *
AGENT CHANGE ON A CLASS B BEER, * HOWARD COUNTY, MARYLAND
WINE, AND LIQUOR 7-DAY ON-SALE *
LICENSE * Case No: 15-46

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 29, 2015, the Hearing Board heard the application of Robert Michael Miller and Kathryn Marie Kotel ("Applicants"), on behalf of T.G.I. Friday's of Howard County, Inc., t/a T.G.I. Friday's ("T.G.I. Friday's of Howard County, Inc."), for a resident agent change from Timothy Cochrane to Robert Michael Miller on the Class B Beer, Wine, and Liquor 7-day on-sale license, for a 5,700 square foot restaurant with a 500 square foot outdoor patio located at 8330 Benson Drive, Columbia, Maryland 21045. 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 June 29, 2015, from the attorney for the Applicants enclosing the application; a resignation letter from Timothy Cochrane; Minutes of Action taken by consent in lieu of a special meeting of the Board of Directors of T.G.I. Friday's of Howard County, Inc., dated June 1, 2015; a copy of the background investigation questionnaires for the Applicants; a copy of the driving record of Robert Michael Miller from the Maryland Motor Vehicle Administration; a receipt of the application for a background report for Robert Michael Miller

from the Department of Public Safety and Correctional Services, dated June 11, 2015; a memorandum dated August 28, 2015, from the Liquor Board to the Alcoholic Beverage Inspector, the Department of Inspections, Licenses, and Permits, the Bureau of Environmental Health, the Department of Planning and Zoning, and the Office of the Fire Marshal; the background investigations of the Applicants by the Alcoholic Beverage Inspector dated September 17, 2015; a memorandum dated September 9, 2015, from the Department of Planning and Zoning; a letter dated September 4, 2015, from the Office of the Fire Marshal; a memorandum dated September 8, 2015, from the Bureau of Environmental Health; a letter dated August 28, 2015, to the Department of Finance; a letter from the Department of Finance; a letter dated August 28, 2015, to the Comptroller of Maryland; a letter dated September 10, 2015, from the Comptroller of Maryland; a fax transmission to the attorney for the Applicants attaching a letter dated August 28, 2015, with information regarding notification of the hearing date and the necessity to advertise; an email dated September 4, 2015, from the Alcoholic Beverage Inspector stating the premises had been posted; and certification of advertisement from Patuxent Publishing and The Baltimore Sun.

SUMMARY OF TESTIMONY

Robert Michael Miller, Secretary and 10% shareholder of T.G.I. Friday's of Howard County, Inc., t/a T.G.I. Friday's, was sworn and testified that he has lived in Howard County for 26 years, is a registered voter, and is alcohol awareness certified. Mr. Miller testified that he will meet with the management several times per month, and plans to visit the restaurant at various times of the day. Mr. Miller testified that he is familiar with the rules and regulations governing the sale of alcoholic beverages, and that he will comply with them.

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

FINDINGS OF FACT

1. The Hearing Board finds that Robert Michael Miller and Kathryn Marie Kotel, on behalf of T.G.I. Friday's of Howard County, Inc., t/a T.G.I. Friday's, have applied for a resident agent change from Timothy Cochrane to Robert Michael Miller on the Class B Beer, Wine, and Liquor 7-day on-sale license for a 5,700 square foot restaurant with a 500 square foot outdoor patio located at 8330 Benson Drive, Columbia, Maryland 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 Robert Michael Miller has been a Howard County resident for more than two years, is a registered voter, and a 10% shareholder of T.G.I. Friday's of Howard County, Inc., t/a T.G.I. Friday's.

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 Robert Michael Miller and Kathryn Marie Kotel, on behalf of T.G.I. Friday's of Howard County, Inc., t/a T.G.I. Friday's, have applied for a resident agent change from Timothy Cochrane to Robert Michael Miller on the Class B Beer, Wine, and Liquor 7-day on-sale license for a 5,700 square foot restaurant with a 500 square foot outdoor patio located at 8330 Benson Drive, Columbia, Maryland 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 Robert Michael 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.

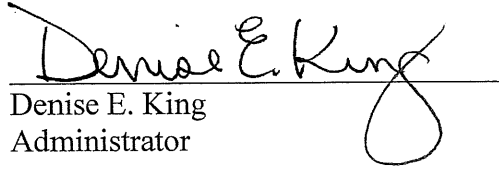
ORDER

For the foregoing reasons, it is this 27th day of October, 2015, by the Alcoholic Beverage Hearing Board of Howard County, Maryland **ORDERED** that the application of Robert Michael Miller and Kathryn Marie Kotel, on behalf of T.G.I. Friday's of Howard County, Inc., t/a T.G.I. Friday's, for a resident agent change from Timothy Cochrane to Robert Michael Miller on the Class B Beer, Wine, and Liquor 7-day on-sale license for a 5,700 square foot restaurant with a 500 square foot outdoor patio located at 8330 Benson Drive, Columbia, Maryland 21045, 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 November 30, 2015, shall render this Proposed Decision and Order null and void.

ATTEST:

ALCOHOLIC BEVERAGE HEARING
BOARD OF HOWARD COUNTY,
MARYLAND


Denise E. King
Administrator

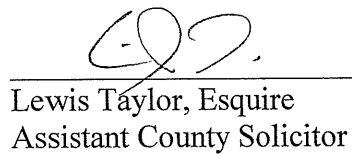

Mary Bird, Chairperson

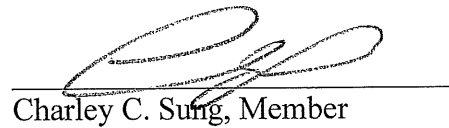
Harry Evans, III, Vice-Chairperson

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


Charles C. Feaga, Member


Heather Gaetano, Member


Lewis Taylor, Esquire
Assistant County Solicitor


Charley C. Sung, Member