

**BOARD OF LIQUOR LICENSE COMMISSIONERS FOR BALTIMORE CITY
DOCKET – THURSDAY, OCTOBER 22, 2009
ROOM 215 - CITY HALL - 100 NORTH HOLLIDAY STREET**

Please note: If you are interested in a particular case, please call 396-4377 the day before these hearings to verify that a particular case is still scheduled.

1:00 p.m. cases

Larry Evener, E. Terry Adelsberger & George H. Koolhof, Edgar’s, Inc. T/a Edgar’s Billiards Club, 1 E. Pratt Street – Class “B” Beer, Wine & Liquor License – Hardship extension request under the provisions of Article 2B §10-504(d)

DECISION:

Edwin S. Scherer, III & Thomas J. Looney, Helen’s Garden, Inc. T/a Helen’s Garden Restaurant, 2908 O’Donnell Street - Class “B” Beer, Wine & Liquor License – Request for outdoor table service

DECISION:

John Foreman, Cynthia Wolf & Benjamin Rosenberg, Rusticco, LLC T/a Pazo, 700 S. Caroline Street – Class “B” Beer, Wine & Liquor restaurant license - Violation of Article 2B §6-201(d)(1)(x) “Until July 1, 2005, the Board of Liquor License Commissioners for Baltimore City may issue a Class B beer, wine and liquor license for use in a restaurant that has a seating capacity exceeding 150 persons if the restaurant: 1.Is an establishment located in an area identified in § 9–204(e)(1) of this article; 2. Has a minimum capital investment of \$1,000,000; and 3.Has average daily receipts from the sale of food that are at least 70% of the total daily receipts on March 31, 2009 (Re: License issued with a 70% food requirement; at renewal 2009, average food sales for period March 2008-February 2009 were 56.65%) .

DECISION:

John Foreman & Felicia Lewandowski, Bigbroco, LLC T/a Cinghiale, 822 Lancaster Street – Class “B” Beer, Wine & Liquor restaurant license - Violation of Article 2B §6-201(d)(1)(ix) “(ix) The Board of Liquor License Commissioners for Baltimore City may issue a Class B beer, wine and liquor license for use in a restaurant that has a seating capacity exceeding 150 persons if the restaurant: 1. Is located in ward 26, precinct 8, ward 4, precinct 1, or ward 3, precinct 3 of the 46th Alcoholic Beverages District, which at all times shall be coterminous with the 46th Legislative District in the Legislative Districting Plan of 2002 as ordered by the Maryland Court of Appeals on June 21, 2002; 2. Has a minimum capital investment of \$700,000; and 3. Has average daily receipts from the sale of food that are at least 65% of the total daily receipts on March 31, 2009 (Re: License issued with a 65% food sale requirement; at renewal 2009, average food sales for period March 2008-February 2009 were 59.05%)

DECISION:

Benjamin Kimbers, Royston, LLC T/a Northside Sports Bar, 3100 Greenmount Avenue – Class BD7 Beer, Wine & Liquor License – Request for a hardship extension by licensee and landlord under the provisions of Article 2B §10-504(d)

DECISION:

3:00 p.m.

Kathryn Buscher, Chestnut Hospitality, LLC, no trade name given, 801 Key Highway – Class BD7 Beer, Wine & Liquor license – Review of pending transfer under the provisions of Article 2B §10-503(d)(4) “A transfer of any license shall be completed not more than 180 days after the Board approves the transfer” (Re: Application approved on September 4, 2008; extension granted until September 21, 2009)

DECISION:

Linda Nevin, Contract Purchaser, 351-55 Woodyear Street – Class BD7 Beer, Wine & Liquor License – Public hearing to review pending transfer under the provisions of Article 2B §10-503(d)(4) (Re: Application filed February 5, 2008; extension granted until September 1, 2009)

DECISION:

Lonnie Abdallah & Bernard Truesdale, Itchy Palmz, LLC T/a Loop, 4238 Frederick Avenue – Class BD7 Beer, Wine & Liquor license – Public hearing to consider request to reopen after being closed for more than three consecutive months as required by Article 2B §10-301(j)(4)

DECISION:

Rajeev Kurichh, Secured Creditor, 701 Scott Street – Class BD7 Beer, Wine & Liquor License – Public hearing to determine the status of license under the provisions of Article 2B §10-504(d) where license expires by operation of law after being inactive for 180 days unless certain other conditions are met

DECISION:

Yong Chin Kim, PK York, LLC T/a Valiks Liquor, 5303-05 York Road – Class BD7 Beer, Wine & Liquor License – Application to transfer ownership where community requested public hearing to consider transfer

DECISION:

Leon Shvartsburg & Iekaterina Soichinevskaia, Lenin LLC T/a Red Square Restaurant, 1 E. Chase Street - Class “B” Beer, Wine & Liquor License – **Violation of Rule 3.12** “Licensees shall operate their establishments in such a manner as to avoid disturbing the peace, safety, health, quiet, and general welfare of the community from May 1, 2009 to date (Re: Mount Vernon Belvedere Association and their attorney believe that licensee is in violation of agreement made at protest of renewal with community); **Violation of Rule 4.05(a)** “No licensee shall permit any person to consume alcoholic beverages on the licensed premises during hours when such sales are prohibited by law” and/or **Rule 4.05(b)** “No alcoholic beverages shall be served, dispensed, furnished or given away in any part of the premises during the hours when such sales are prohibited by law” on July 11, 2009 (Re: Establishment was selling alcohol and allowing patrons to consume on the premises after 2:00 a.m.); **Violation of Article 2B §11-304(d)(2)** “In Baltimore City, a licensed premises shall cease all operations, including the serving of alcoholic beverages or food and providing entertainment, at the closing hour for that class of licensed premises specified in this article” and Article 2B §11-304(d)(3) “Notwithstanding paragraph (2) of this subsection, the Board of Liquor License Commissioners may grant an exemption for remaining open after hours to: (i) A holder of a Class B restaurant license, only for serving food to patrons seated for dining” on July 11, 2009 (Re: No food being prepared or served at 2:30 a.m.); **Violation of Rule 3.01** “Every licensee shall be the actual owner and operator of the business conducted on the licensed premises. The identity of any person, not a licensee, having any financial interest in said business shall be disclosed to the Board in writing” on July 11, 2009 (Re: No application for transfer has been filed and an individual, not a licensee, identified himself as owner); **Violation of Article 2B §10-301(j)(1)** “In Baltimore City, unless a licensee presents to the Board of Liquor License Commissioners by June 30 of the respective year, a certificate issued by the Director of Finance, showing that there are no unpaid taxes on the merchandise, fixtures and stock of the applicant due to the City of Baltimore or the State of Maryland, the renewal license shall be immediately suspended without a hearing but thereafter shall be immediately returned without a hearing upon presentation of such a certificate” from June 30, 2009 to date (Re: Proof of payment of 2008-2009 Tangible Personal Property Taxes has not been submitted)

DECISION: