

Jenny B. Dempsey
Planning and Zoning Officer

MEMORANDUM

TO: Judy L. Hagner, Board of License Commissioners

FROM: Joan A. Jenkins, Office of Planning and Zoning, Zoning Division

SUBJECT: Liquor License Application

DATE: August 20, 2024

APPLICANT: CBOCS MD 1, LLC; Benjamin R. Carter, Joshua Shane Mayo, Jean Holcomb Shuttleworth

TRADE NAME: Cracker Barrel

ADDRESS: 175 Jennifer Road, Annapolis, MD 21401

LICENSE REQUESTED: NEW LICENSE FOR CLASS H (Beer/Wine/Liquor) (On Sales only) and Sunday License

This Office finds that the subject property is zoned TC – Town Center District. The license is for a restaurant that is located in a freestanding structure that is located on the subject property. The TC – Town Center District allows any use allowed in a C3 District. The C3 General Commercial District allows alcoholic beverage uses as accessory to other uses. In this case the proposed alcoholic beverage use would be accessory to the principal use of the site as a restaurant.

This Office further finds that the proposed use meets the applicable requirements of §18-2-109 and §18-10-104 of the Code with respect to vehicular access and existing traffic patterns for surrounding uses as this is an existing restaurant in the TC - Town Center District. Impact to residential areas, existing and allowed land uses, and the magnitude of the activity would also be substantially the same as existing conditions. Accordingly, this Office would have **no objection** to the issuance of the requested liquor license.

The applicant should be advised that building permits and grading permits are required for all renovation and/or new construction. Additionally, a Zoning Certificate of Use is required for the subject use.

Please contact this Office at 410-222-7437 if there are any questions concerning this matter.

**BOARD OF LICENSE COMMISSIONERS
FOR ANNE ARUNDEL COUNTY, MARYLAND**

APPLICATION FOR ALCOHOLIC BEVERAGES LICENSE CLASS: XXXXXX H, BWL, S - multiple

☐ Outdoor Dining

If transfer, formerly trading as: _____

For the use of: (Check one)

☐ Individual

☐ Partnership

☒ LLC

☐ Corporation

☐ Unincorporated Association

To the Board of License Commissioners
Anne Arundel County, State of Maryland

Date: October 26, 2023

Application is made by the undersigned under the provisions of Alcoholic Beverages and Cannabis Article, Annotated Code of Maryland, for the above license, and the applicant (s) submit (s) and certify (ies) to the following information required by the Article:

1. Applicant(s)

- | | |
|--|--|
| (1) Name: <u>Benjamin R Carter</u>
Date of Birth: <u>1/28/1983</u>
Place of Birth: <u>Annapolis, MD</u>
Phone Number: <u>443-414-8941</u> | Address: <u>1441 Chatham Court, Crofton, MD 21114</u>
Naturalized at: <u>N/A</u> Year: <u>N/A</u>
Sex: <u>Male</u>
Email: <u>Ben@carterlawmd.com</u> |
| (2) Name: <u>Joshua Shane Mayo</u>
Date of Birth: <u>11/11/1979</u>
Place of Birth: <u>Nashville, TN</u>
Phone Number: <u>615-633-4174</u> | Address: <u>2706 Paddock Park Drive, Thompsons Station, TN 37179</u>
Naturalized at: <u>N/A</u> Year: <u>N/A</u>
Sex: <u>Male</u>
Email: <u>Josh.Mayo@crackerbarrel.com</u> |
| (3) Name: <u>Jean Holcomb Shuttleworth</u>
Date of Birth: <u>7/4/1962</u>
Place of Birth: <u>Big Spring, TX</u>
Phone Number: <u>615-337-7421</u> | Address: <u>178 Clifftop Drive, Hendersonville, TN 37075</u>
Naturalized at: <u>N/A</u> Year: <u>N/A</u>
Sex: <u>Female</u>
Email: <u>Jean.Shuttleworth@crackerbarrel.com</u> |

2. The applicant(s) (is, are) a citizen(s) or permanent resident(s) of the United States. The applicant(s) (if applying as a qualifying individual for a corporation, unincorporated association, or LLC) (is, are) a resident of the State of Maryland at the time of the filing of this application. The license remains valid only for as long as the resident applicant remains a resident of the State.

The applicant (s) thus qualified (is, are): ☒ 1 ☐ 2 ☐ 3 (Check number to correspond with name (s) listed above)

If not a resident of Anne Arundel County, Maryland, the Applicant(s) appoint Benjamin R Carter to serve as resident agent and accept service on behalf of the applicant(s).

3. Corporate name if applicable: CBOCS MD 1 LLC

4. The trade name if applicable (s) is: Cracker Barrel

and the location and address where license is desired is: 175 Jennifer Road, Annapolis, MD 21401

5. Describe premises: Lot size: 59,437 square feet (1.364 acres)

Square feet of area and type of building applied for: 9,170 sq ft (building) 1,316 sq ft (porch) [Total 10,486] no outdoor service

6. The name of the owner of the premises described above: Annapolis Management Company, 10 Jennifer Road, Suite 330, Annapolis

**BOARD OF LICENSE COMMISSIONERS
FOR ANNE ARUNDEL COUNTY, MARYLAND**

APPLICATION FOR ALCOHOLIC BEVERAGES LICENSE CLASS: ~~XXXXXX~~ H, BWL, S - multiple

7. The applicant (s) (has, have) never been convicted of a felony. ☒ True ☐ False
8. The applicant (s) (has, have) never been adjudged guilty of violating the laws governing the sale of alcoholic beverages or for the prevention of gambling in the State of Maryland as follows. ☒ True ☐ False
If false, State name(s) of applicant, date, and offense: _____
9. (Has, have) the applicant (s) ever held a license for the sale of alcoholic beverages. ☒ Yes ☐ No
If yes, in what state, at what location, and name of license establishment: See Attached
10. The applicant (s) (has, have) not had a license for the sale of alcoholic beverages revoked. ☒ True ☐ False
11. The applicant (s) (has, have) a financial interest in the business to be conducted under said license. ☒ True ☐ False
12. The applicant (s) (is, are) not financially interested in any other place of business in the county, counties or Baltimore City where, or for which, a license has been applied for, granted or issued under Alcoholic Beverages and Cannabis Article, Annotated Code of Maryland. ☐ True ☒ False
13. No person except the applicant (s) is in any way peculiarly interested in the license applied for or in the business to be conducted there under during the continuance of the license, if issued. ☐ True ☒ False
14. The applicant (s) (has, have) not been adjudged guilty of any offense against the laws of the State or of the United States.
☒ True ☐ False
15. No manufacturer, brewer, distiller, or wholesaler, directly or indirectly, has any financial interest in the premises or business of the applicant. ☒ True ☐ False
16. The applicant (s) will not convey or grant to any manufacturer, brewer, distiller, or wholesaler any financial interest, except as otherwise permitted in the Alcoholic Beverages and Cannabis Article, Annotated Code of Maryland.
☒ True ☐ False
17. The applicant (s) (has, have) at the time of filing this application no indebtedness or other financial obligation and will not incur any such indebtedness or other financial obligation, directly or indirectly, to any manufacturer, brewer, distiller or wholesaler other than for the purchase of alcoholic beverages. ☒ True ☐ False
18. The applicant (s) will, if granted a license, conform to all laws and regulations relating to the business in which the applicant (s) propose (s) to engage. ☒ True ☐ False
19. The applicant(s) hereby submit(s) a duly executed and acknowledged statement from the premises owner where the proposed business will operate. This statement expresses consent for the issuance of the requested license, granting authority to the State Comptroller, Executive Director of the Alcohol, Tobacco, and Cannabis Commission, and the Board of License Commissioners of the respective county where the business is situated. Additionally, this authorization extends to their duly authorized deputies, inspectors, clerks, agents, and employees, as well as any peace officer within the county. This authorization allows for the inspection and search, without the need for a warrant, of both the business premises and any and all parts of the building where the business will be conducted, at any time and without limitations. ☒ True ☐ False

**BOARD OF LICENSE COMMISSIONERS
FOR ANNE ARUNDEL COUNTY, MARYLAND**



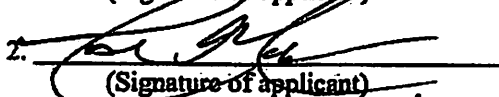
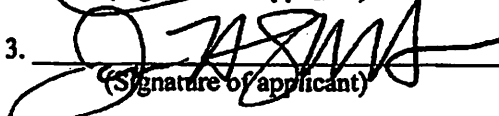
APPLICATION FOR ALCOHOLIC BEVERAGES LICENSE CLASS: B, BXL, BWL H, BWL, S - multiple

EXTRACT FROM LAW: If any affidavit or oath required under the provisions of the Act shall contain any false statement, the offender shall be deemed guilty of perjury, and upon indictment and conviction thereof, shall be subject to the penalties provided by law for that crime.

Name(s), title(s), and address(es) of applicants:

<u>Benjamin R Carter</u>	Member/ Authorized Person	1441 Chatham Court, Crofton, MD 2111
(Name)	(Title)	(Home Address)
<u>Joshua Shane Mayo</u>	Member/ Authorized Person	2706 Paddock Park Drive, Thompsons Station, TN 371
(Name)	(Title)	(Home Address)
<u>Jean Holcomb Shuttleworth</u>	Member/ Authorized Person	178 Clifftop Drive, Hendersonville, TN 3707
(Name)	(Title)	(Home Address)

*Note: If President or Vice-President is one of the applicants, they must also sign as an applicant.

*1.		Joshua Shane Mayo
	(Signature of President or Vice President)	
1.		Benjamin R Carter
	(Signature of applicant)	
2.		Joshua Shane Mayo
	(Signature of applicant)	
3.		Jean Holcomb Shuttleworth
	(Signature of applicant)	

THE STATE OF ~~MARYLAND~~ Tennessee

COUNTY OF Wilson

I hereby certify that on the March 8, 2024, before me, the subscriber, a notary public of the State of Tennessee, in and for Wilson County (here insert name of the county or City of Tennessee for which notary is appointed), personally appeared Joshua Shane Mayo (name(s) of person(s) swearing) and made affirmation (oath or affirmation) in due form of law that the matters and facts set forth in the application (here describe document in which the person(s) is or are swearing) are true.
As witness, my hand and notarial seal.

Noel Tippett
Notary Public Signature

Print Name: Noel Tippett



My commission expires: 1-22-25

BOARD OF LICENSE COMMISSIONERS
FOR ANNE ARUNDEL COUNTY, MARYLAND

APPLICATION FOR ALCOHOLIC BEVERAGES LICENSE CLASS: ~~BYU0001~~ H, BWL, S - multiple

THE STATE OF MARYLAND

COUNTY OF Prince Georges

I hereby certify that on the 14 March 2024, before me, the subscriber, a notary public of the State of Maryland, in and for Prince Georges Co (here insert name of the county or City of Baltimore for which notary is appointed), personally appeared Robert R Carter (name(s) of person(s) swearing) and made Oath (oath or affirmation) in due form of law that the matters and facts set forth in the application (here describe document to which the person(s) is or are swearing) are true.
As witness, my hand and notarial seal.

Susan S Cook
Notary Public Signature

Susan S Cook
NOTARY PUBLIC
PRINCE GEORGE'S COUNTY
MARYLAND
MY COMMISSION EXPIRES September 20, 2025

Print Name: Susan S Cook

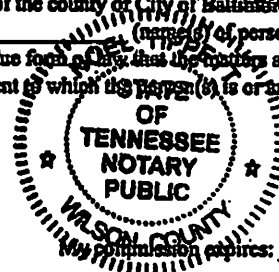
My commission expires: 9/20/2025

THE STATE OF MARYLAND Tennessee

COUNTY OF Wilson

I hereby certify that on the March 8, 2024, before me, the subscriber, a notary public of the State of Tennessee, in and for Wilson County (here insert name of the county or City of Baltimore for which notary is appointed), personally appeared Joshua Shane Mayh (name(s) of person(s) swearing) and made affirmation (oath or affirmation) in due form of law that the matters and facts set forth in the application (here describe document to which the person(s) is or are swearing) are true.
As witness, my hand and notarial seal.

Noel Tippet
Notary Public Signature



Print Name: Noel Tippet

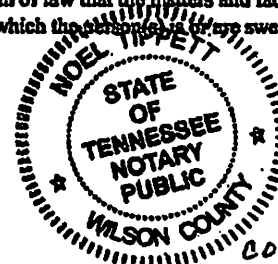
My commission expires: 1-22-25

THE STATE OF MARYLAND Tennessee

COUNTY OF Wilson

I hereby certify that on the March 6, 2024, before me, the subscriber, a notary public of the State of Tennessee, in and for Wilson County (here insert name of the county or City of Baltimore for which notary is appointed), personally appeared Jean Holcomb Shuttleworth (name(s) of person(s) swearing) and made affirmation (oath or affirmation) in due form of law that the matters and facts set forth in the application (here describe document to which the person(s) is or are swearing) are true.
As witness, my hand and notarial seal.

Noel Tippet
Notary Public Signature
Noel Tippet



commission expires 1/22/25

**BOARD OF LICENSE COMMISSIONERS
FOR ANNE ARUNDEL COUNTY, MARYLAND**

APPLICATION FOR ALCOHOLIC BEVERAGES LICENSE CLASS: ~~XXXXXX~~ H, BWL, S - multiple
Print Name: _____ My commission expires: _____

**STATEMENT OF OWNER OF PREMISES REQUIRED IN CONNECTION WITH
ALCOHOLIC BEVERAGES LAW OF MARYLAND**

(I, WE) HEREBY CERTIFY, that (I am, we are) the owner (s) of the property known as

via Cracker Barrel located at 175 Jennifer Road, Annapolis, MD 21401

Named in the foregoing application made to the State Comptroller under the Alcoholic Beverages Law of Maryland; that (I, we) hereby authorize the State Comptroller, Executive Director of the Alcohol, Tobacco, and Cannabis Commission, and the Board of License Commissioners of the respective county where the business is situated. Additionally, this authorization extends to their duly authorized deputies, inspectors, clerks, agents, and employees, as well as any peace officer within the county. This authorization allows for the inspection and search, without the need for a warrant, of both the business premises and any and all parts of the building where the business will be conducted, at any time and without limitations.

(Signature)

(Print Name)

Annapolis Mall Shopping Center Company, LLP
By: Annapolis Management Company, LLC

Its Authorized Agent

William P. Benson, Jr.

By: William P. Benson, Jr., Manager
(Print Name)

(Signature)

(Print Name)

THE STATE OF MARYLAND

COUNTY OF Anne Arundel

I hereby certify that on the March 28, 2024, before me, the subscriber, a notary public of the State of Maryland, in and for Anne Arundel County (here insert name of the county or City of Baltimore for which notary is appointed), personally appeared William P. Benson, Jr. (name(s) of person(s) swearing) and made affirmation (oath or affirmation) in due form of law that the matters and facts set forth in the application (here describe document to which the person(s) is or are swearing) are true.
As witness, my hand and notarial seal.

Barbara Jean Wise
Notary Public Signature

Print: Barbara Jean Wise



My commission expires: Sept. 14, 2026