

**Case Number:** A.N. 23-12

**Application Type:** Consumption on Premise Beer & Wine and Retail Package Beer & Wine

**Business Name:** Malley's Market

**Hearing Date:** March 29, 2023

**Report Prepared By:** Julietta H. Walton, Business License & Customer Service Manager

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**Applicant:** *Henry Scheer*

**Property Owner:** M.J. Properties of Augusta LLC

**Address of Property:** 2860 Washington RD

**Tax Parcel #:** 012-0-092-01-0

**Commission District:** District: 7 Super District: 10

**Background:** New Location

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**ANALYSIS:** Location restrictions: zoning and proximity to churches, libraries, schools, and public recreation areas.

- **Zoning:** B-1/B-2 (Neighborhood Business-General Business) Zone
- **Distance Requirements:** The proposed location for consumption on premise Beer & Wine and Retail Package Beer & Wine meets the minimum distance location to churches, schools, libraries, and public recreation areas.

**ADDITIONAL CONSIDERATIONS:**

- **Reputation, character.** The applicant's reputation, character, trade and business associations or past business ventures, mental and physical capacity to conduct business.
- **Previous violations of liquor laws.** If the applicant is a previous holder of a license to sell alcoholic liquors, whether or not he has violated any laws, regulations or ordinance relating to such business.
- **Manner of conducting prior liquor business.** If the applicant is a previous holder of a license to sell alcoholic liquors, the manner in which he conducted the business thereunder especially as to the necessity for unusual police observation and inspection in order to prevent the violation of any law, regulation or ordinance relating to such business.

- **Location.** The location for which the license is sought, as to traffic congestion, general character of neighborhood, and the effect such an establishment would have on the adjacent surrounding property values.
  - **The proposed is a New Location.**
- **Number of licenses in a trading area.** The number of licenses already granted for similar business in the trading area of the place for which the license is sought.
- **Dancing.** If dancing is to be permitted upon the premise for which the license is sought and the applicant has previously permitted dancing upon the premises controlled or supervised by him, the manner in which he controlled or supervised such dancing to prevent any violation of any law, regulation, or ordinance.
- **Previous revocation of license.** If the applicant is a person, whose license issued under the police powers of any governing authority has been previously suspended or revoked or who has previously had an alcoholic beverages licenses suspended or revoked. Payment of taxes. If the applicant and business are not delinquent in the payment of any local taxes.
- **Congregation of minors.** Any circumstances, which may cause minors to congregate in the vicinity of the proposed location, even if the location meets the distance requirement under section 6-2-64 (b) herein.
- **Prior incidents.** Evidence that a substantial number of incidents requiring police intervention have occurred within a square city block of the proposed location during the twelve (12) months immediately preceding the date of application.
- **Previous Denial or Revocation.** The denial of an application or revocation of a license, occurring within the preceding twelve (12) months, which was based on the qualifications of the proposed location.

**FINANCIAL IMPACT:** The applicant will pay a fee of \$2,600.00.

**RECOMMENDATION:**

The Planning & Development approved the application subject to additional information not contradicting the applicant's statements.

The Sheriff's Office approved the application subject to additional information not contradicting applicant's statements.

**Note:** The staff report includes the information available approximately two weeks prior to the Public Services Committee meeting. It represents an evaluation of the facts presented by the applicant, research done by the staff, and consideration of the relevant factors in the Comprehensive Zoning Ordinance and the Alcohol Ordinance of Augusta, Georgia. New facts may emerge, and staff reserves the right to make an oral recommendation at the hearing based on all the information available at that time.



Augusta-Richmond County Planning & Development Department  
1803 Marvin Griffin Road  
Augusta, GA. 30906

**ALCOHOL BEVERAGE APPLICATION**

Alcohol Number \_\_\_\_\_ Year \_\_\_\_\_ Alcohol Account Number \_\_\_\_\_

1. Name of Business MALLY'S MARKET
2. Business Address 2860 Washington Rd.
3. City AUGUSTA State GA. Zip 30909
4. Business Phone (706) 294-6157 Home Phone (706) 294-6157
5. Applicant Name and Address: Henry Richard Scheer  
2710 Downing St.  
Augusta GA 30909
6. Applicant Social Security # \_\_\_\_\_ O.B. \_\_\_\_\_
7. If Application is a transfer, list previous Applicant: \_\_\_\_\_

8. Business Location: Map & Parcel 2860 Washington Rd Zoning \_\_\_\_\_
9. Location Manager(s) Henry Scheer  
Tom Jastram

10. Is Applicant an American Citizen or Alien lawfully admitted for permanent residency?  
☒ Yes ( ) No

**OWNERSHIP INFORMATION**

11. Corporation (if applicable): Date Chartered: 2022
12. Mailing Address:  
Name of Business Mally's Market  
Attention Tom Jastram  
Address 2860 Washington Rd  
City/State/Zip Augusta Ga. 30909
13. Ownership Type: ☒ Corporation ( ) Partnership ( ) Individual
14. Corporate Name: MALLY'S MARKET + RESTAURANT  
List name and other required information for each person having interest in this business.

Name	Position	SSNO#	Address	Interest
<u>Henry Scheer</u>	<u>Owner</u>		<u>2710 Downing St.</u>	<u>50</u>
<u>Tom Jastram</u>	<u>Owner</u>		<u>165 Bonaventure Way</u>	<u>50</u>
			<u>APPL 16 GA</u>	

15. What type of business will you operate in this location?  
☒ Restaurant - Full ( ) Lounge ( ) Convenience Store  
( ) Restaurant - Limited ( ) Package Store ( ) Hybrid  
( ) Other: \_\_\_\_\_

License Information	Liquor	Beer	Wine	Dance	Sunday Sales
Retail Package Dealer		<u>X</u>	<u>X</u>		
Consumption on Premises		<u>X</u>	<u>X</u>		
Wholesale					

Total License Fee: \$ \_\_\_\_\_  
Prorated License Fee: (After July 1 ONLY) \$ \_\_\_\_\_

16. Have you ever applied for an Alcohol Beverage License before: yes  
If so, give year of application and its disposition: T + Bon 2 2008
17. Are you familiar with Georgia and Augusta-Richmond County laws regarding the sale of alcoholic beverages? ☒ Yes ( ) No If so, please initial T.J.

18. Attach a passport-size photograph  
(front view) taken within two years.  
Write name on back of the dealer  
submitting the license application.



19. Has any liquor business in which you hold, or have held, any financial interest, or are employed, or have been employed, ever been cited for any violation of the rules and regulations of Augusta-Richmond County or the State Revenue Commission relating to the sale and distribution of distilled spirits? ( ) Yes (✓) No  
If yes, give full details: \_\_\_\_\_

20. Have you ever been arrested, or held by Federal, State, or other law-enforcement authorities, for any violation of any Federal, State, County or Municipal law, regulation or ordinance: (Do not include traffic violations, with the exception of any offenses pertaining to alcohol or drugs). All other charges must be included, even if they are dismissed. ( ) Yes (✓) No  
If yes, give reason charged or held, date and place where charged and its disposition. \_\_\_\_\_

21. List owner or owners of building and property.  
1177 Southgate Dr Charleston SC 29407  
Homegrown Hospitality - Charleston SC

22. List the name and other required information for each person, firm or corporation having any interest in the business.  
Homegrown Hospitality + TMTH

23. If a new application, attach a surveyor's plat and state the straight line distance from the property line of school, church, library, or public recreation area to the wall of the building where alcohol beverages are sold.

A) Church \_\_\_\_\_ C) School \_\_\_\_\_  
B) Library \_\_\_\_\_ D) Public Recreation \_\_\_\_\_

24. State of Georgia, Augusta-Richmond County, I, \_\_\_\_\_  
Do solemnly swear, subject to the penalties of false swearing, that the statements and answers made by me as the applicant in the forgoing alcoholic beverage application are true.

Henry Scher  
Applicant Signature

I hereby certify that Henry Scher is personally known to be,  
That he/she signed his/her name to the forgoing allocation stating to me that he/she knew  
and understood all statements and answers made herein, and, under oath actually  
administered by me, has sworn that said statements and answers are true.

This 20 day of January, in the year 2023.

Cori Davis  
Notary Public

**FOR OFFICE USE ONLY**

Department	Approve	Deny	Comments
Recommendation			
Alcohol Inspector			
Sheriff			
Fire Inspector			

The Board of Commissioners on the \_\_\_\_\_ day of \_\_\_\_\_, in the year \_\_\_\_\_.  
(Approved, Disapproved) the forgoing application

\_\_\_\_\_  
Administrator

\_\_\_\_\_  
Date

