



KATHERINE A. KLAUSMEIER  
*County Executive*

MAUREEN E. MURPHY  
*Chief Administrative Law Judge*  
ANDREW M. BELT  
*Administrative Law Judge*  
DEREK J. BAUMGARDNER  
*Administrative Law Judge*

April 2, 2025

Brooke A. Hutchins, Esquire – [bhutchins@rosenbergmartin.com](mailto:bhutchins@rosenbergmartin.com)  
Adam Baker, Esquire – [abaker@rosenbergmartin.com](mailto:abaker@rosenbergmartin.com)  
Rosenberg Martin Greenberg, LLP  
25 S. Charles Street, 21<sup>st</sup> Floor  
Baltimore, MD 21201

RE: **CORRECTED ORDER**  
Case No. 2025-0013-SPH  
Property: 413 Commonwealth Avenue

Dear Counsel:

Enclosed please find a copy of the decision rendered in the above-captioned matter.

Pursuant to Baltimore County Code § 32-3-401(a), “a person aggrieved or feeling aggrieved” by this Decision and Order may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Office of Administrative Hearings at 410-887-3868.

Sincerely,

A handwritten signature in black ink that reads "Maureen E. Murphy". The signature is written in a cursive, flowing style.

MAUREEN E. MURPHY  
Chief Administrative Law Judge  
for Baltimore County

MEM:dlm  
Enclosure

c: Geraldine Pluviose [dinastlouis@hotmail.com](mailto:dinastlouis@hotmail.com)  
Patrick Richardson [rick@richardsonengineering.net](mailto:rick@richardsonengineering.net)

IN RE: <b>PETITION FOR SPECIAL HEARING</b>	*	BEFORE THE
<b>(413 Commonwealth Avenue)</b>		
1 <sup>st</sup> Election District	*	OFFICE OF
1 <sup>st</sup> Council District		
Debobeth Firm Limited Liability	*	ADMINISTRATIVE HEARINGS
Company		
<i>Legal Owner</i>	*	FOR BALTIMORE COUNTY
Vite-Test, LLC dba Fastest Lab and		
Geraldine Pluviose	*	<b>Case No. 2025-0013-SPH</b>
<i>Lessee</i>		
	*	
<b>Petitioners</b>		
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**CORRECTED OPINION AND ORDER**

This matter comes before the Office of Administrative Hearings (“OAH”) for consideration of a Petition for Special Hearing filed by Debobeth Firm Limited Liability Company, legal owner, and Vite-Test, LLC dba Fastest Lab and Geraldine Pluviose (collectively “the Petitioners”), for the property known as 413 Commonwealth Avenue, Catonsville (the “Property”). The Petition for Special Hearing was filed pursuant to the Baltimore County Zoning Regulations (“BCZR”), §500.7, to approve a proposed office use in the existing office building located on the property, in accordance with Case No. 1973-0276-X, originally granting a special exception for a former office use, and to otherwise confirm that the proposed use is permitted in the Property located within the DR 16 zone.

A public WebEx hearing was conducted virtually in lieu of an in-person hearing on March 3, 2025. The Petition was properly advertised and posted. Geraldine Pluviose appeared on behalf of the Petitioners along with Patrick Richardson, PE of Richardson Engineering. Adam Baker, Esquire and Brooke A. Hutchins of Rosenberg Martin Greenberg, LLP represented the Petitioners. There were no Protestants or interested citizens who appeared at the hearing.

Zoning Advisory Committee (“ZAC”) comments were received from the Department of Planning (“DOP”), Development Plans Review (“DPR”)/Department of Public Works and Transportation (“DPWT”), and Department of Environmental Protection and Sustainability (“DEPS”) which agencies did not oppose the requested relief.

The Property was created as part of lots 19-24 and 76-80 on the Plat of McDonough Heights recorded in the Land Records of Baltimore County on November 8, 1920 (Plat Book WPC 5, folio 69). The Property measures 0.53 acres +/- (21,780 sf) and is improved with a 2-story office building and associated paved parking lot. (Pet. Ex. 1). It is accessed from US Rt 40 (Baltimore National Pike) via Commonwealth Ave.; a second entrance into the Property is available from Gaither Ave. (a dead end road) but appears to be closed by a gate and fencing. Street view photographs show the northern side of the office building as facing US Rt. 40, with the front of the building facing Commonwealth Ave. (Pet. Ex. 5). Aerial photographs of the surrounding area reveal the immediate adjoining property to the north east is a carryout/restaurant. (Pet. Exs. 3, 4). Fronting on the same side of US Rt. 40 as the Property are several automotive uses. (Pet. Exs. 3, 4). On the southern side of the Property are residential uses. (Pet. Exs. 3, 4, 5). The Property is zoned Density Residential (DR-16).

This Property was the subject of Case No.: 1973-00276-X, in which a Special Exception for “offices and office building” was granted. (Pet. Ex. 13). At the time of the filing of the Petition for Special Exception in 1973, the Property was vacant, and zoned DR 16. In that Case, the Petitioner, Albert Folgueras, MD, an orthopedic surgeon, sought approval to construct a medical and professional office. The Site Plan prepared for the 1973 Case shows that the 2-story office building was being proposed (the “1973 Site Plan”). (Pet. Ex. 2).

In this Case, Petitioner has submitted the same 1973 Site Plan in support of the request to operate an office in Suite 4 for the collection of urine, hair, nails and saliva samples. (Pet. Ex. 2). While the name of the tenant is 'Fastest Labs', the proffered evidence was that this business collects specimens on behalf of the Department of Transportation and for other private employers, but does not actually test the samples collected. (Pet. Ex. 1). Rather, the specimens are sent via Federal Express to outside, independent testing labs; a list of the 6 outside laboratories used by Fastest Labs was provided. (Pet. Ex. 9). Specifically, the proposed activities include processing in-take forms; collecting the specimens; and shipping them the outside laboratories. Unlike a lab where blood is drawn, there are no phlebotomy services or samples of blood taken or stored. Petitioner made clear that no medical license or degree is required to perform these activities. Moreover, no medical professional is required to be on-site or to supervise the activities. In this Case, there will be 2 employees: an office manager and Ms. Pluviose.

Petitioner confirmed that no exterior alterations or improvements to the Property will occur. Petitioner would be leasing Suite 4 and may remodel the interior consistent with the floor plan submitted. (Pet. Ex. 8). Prior to filing this Petition, because no building permit was needed, Petitioner applied for a Use Permit, but the same was denied by Office Zoning Review ("OZR") because OZR considered the proposed activities to be 'laboratory testing.' (See File for OZR Memo). It is Petitioner's contention that the proposed use is an 'office,' and not a 'medical office,' 'medical clinic,' 'diagnostic center,' or 'laboratory' as those terms are defined in BCZR, §101.1. (Pet. Ex. 11, 12, 14, 15). Additionally, of the 7 tenants currently leasing space in the building (other than the Fastest Labs and building maintenance) all the remaining tenants are health care/medical related businesses. (Pet. Ex. 6). Notably, the existing free standing sign located along US Rt. 40 reads "Pravia Medical and Professional Center". As for lighting, there

are existing freestanding light poles in the parking lot. With regard to landscaping, the entire Property is covered with impervious surface, except the 2 bushes on either side of the front door.

### SPECIAL HEARING

A hearing to request special zoning relief is proper under BCZR, §500.7 as follows:

The said Zoning Commissioner shall have the power to conduct such other hearings and pass such orders thereon as shall, in his discretion, be necessary for the proper enforcement of all zoning regulations, subject to the right of appeal to the County Board of Appeals as hereinafter provided. The power given hereunder shall include the right of any interested person to petition the Zoning Commissioner for a public hearing after advertisement and notice to determine the existence of any purported nonconforming use on any premises or to determine any rights whatsoever of such person in any property in Baltimore County insofar as they are affected by these regulations.

"A request for special hearing is, in legal effect, a request for a declaratory judgment." *Antwerpen v. Baltimore County*, 163 Md. App. 194, 877 A.2d 1166, 1175 (2005). And, "the administrative practice in Baltimore County has been to determine whether the proposed Special Hearing would be compatible with the community and generally consistent with the spirit and intent of the regulations." *Kiesling v. Long*, Unreported Opinion, No. 1485, Md. App. (Sept. Term 2016).

The zoning history for this Property indicates that while the Order in Case No.: 1973- 0276-X granted a Special Exception use for "offices and office building" in a DR 16 zone, the building which was constructed by Dr. Folgueras was for medical offices. (Pet. Ex.13). Indeed, the Petition for Special Exception filed by Dr. Folguerus requested a medical and professional office building. The use "offices and office building" as found in the 1963 BCZR for RA zones, were permitted by Special Exception; yet neither "office" nor "office building" was defined therein. By way of Bill 100-1970, the RA zone became the DR 16 zone. In the 1975 BCZR version, BCZR, §1B02.1 permitted 'offices or office buildings' only by Special Exception in the DR 16 zone. Yet, as with

the 1963 BCZR, neither “office” nor “office building” was defined in the 1975 BCZR. Thus, when Special Exception Order was signed on June 17, 1973, there appeared to be no prohibition on medical or health related offices occupying an office building.

As Petitioner points out, the current definition of ‘office’ in BCZR, §101.1 currently includes ‘a medical office:’

OFFICE — A building or portion of a building used for conducting the affairs of a business, profession, service, industry or government, including a medical office. The term "office" does not include a bank, a post office, a veterinarian's office or an establishment where merchandise is stored on or sold from the premises.

(Pet. Ex. 11). The term ‘medical office’ is also defined in BCZR, §101.1:

MEDICAL OFFICE — A place for the treatment of outpatients by one or more medical practitioners. This term does not include a veterinarian's office, medical clinic, ambulatory care center, diagnostic center, birthing center or dialysis satellite unit. The term does not include ambulatory surgical facilities.

(Pet. Ex. 12). Extracting the term ‘medical practitioners’ from the definition of ‘medical office’, BCZR, §101.1 defines a ‘medical practitioner’ as one who is licensed by the State of Maryland:

#### MEDICAL PRACTITIONER

A. A physician, dentist, optometrist, chiropractor, podiatrist, psychologist, physical therapist, nurse, massage therapist as defined by § 24-441 of the Baltimore County Code or other similar health professional licensed by the state. <sup>[28]</sup>

B. A physician, dentist, optometrist, chiropractor, podiatrist, psychologist, physical therapist, nurse, massage therapist or other similar health professional licensed or certified by the state.

Likewise, the term ‘medical clinic’ is defined in BCZR, §101.1 as:

MEDICAL CLINIC — The term includes outpatient ambulatory care centers or surgical facilities, diagnostic centers, birthing centers, behavioral health centers, and kidney dialysis centers or satellite units. The term does not include state licensed medical clinics, medical offices, or hospitals as defined in these regulations.

(Pet. Ex. 15). Lastly, the term, ‘laboratory’ is defined in BCZR, §101.1 as:

LABORATORY — A building or group of buildings used primarily for applied and development research where the product-testing process is a major function of the operation, but where the operation does not involve any mass manufacturing.

(Pet. Ex. 14).

Applying these definitions to the facts here, it is clear that the business conducted by Fast Labs of collecting hair, nail, saliva and urine specimens, and shipping them to an off-site laboratory for testing, does not meet the definitions of ‘medical office,’ ‘medical clinic,’ or ‘laboratory.’ There is no licensed medical practitioner required for this business, and no requirement for medical training. Fast Labs does not provide phlebotomy services. In short, there is only the *collection* of specimen samples on-site; there is no testing being conducted. Accordingly, I find that the proposed use meets the definition of ‘office’

Having found that the use constitutes an ‘office,’ and while an ‘office’ use is not permitted by right or by Special Exception in the DR 16 zone, BCZR, §502.5A permits the office use pursuant to the BCZR and zoning classification which were in effect at the time the Special Exception was approved:

§502.5A. - Special exception for certain offices and office buildings.

Bill No. 167-1980 does not affect the validity of any order granting a special exception for an office or office building pursuant to Section 1B02.1. Any such special exception may be used in accordance with both the applicable provisions of these regulations and the zoning classification of the property in effect at the time of the grant of such special exception, provided that construction is started prior to the expiration date of such special

exception, and provided the zoning classification at the time construction is started is either D.R.16, R-O, O-1 or O-2.

As set forth above, the 1973 Order granted the Special Exception use for this DR 16 zoned Property as ‘offices and office building,’ and therefore, the proposed use as an ‘office’ is permitted to continue under BCZR, §502.5A. I find that the proposed office use is also compatible with the community and generally consistent with the spirit and intent of the BCZR.

With regard to the DOP ZAC comment about whether Residential Transition Area (“RTA”) applies under BCZR, §1B01.1.B.1.b, the undisputed evidence here was that there will be no development of the Property. In fact, because the Property exists today as it did when the 1973 Order was issued, the Petitioner submitted the 1973 Site Plan in support of the Petition here. Mr. Richardson confirmed that no development is taking place; no exterior improvements are being proposed; and the office building and the Property remain today as they did in 1973. As such, the RTA is not generated under BCZR, §1B01.1.B.1.b.

Lastly, with regard to the requirement for a Landscape and Lighting Plan, the existing Property is entirely paved; there are no areas of green space other than the 2 bushes on either side of the front door. Because there are no improvements or exterior alterations of any kind being proposed at this Property, a Landscape Plan would not be required. As set forth above, the parking lot already has several freestanding light poles and as such, a Lighting Plan would not be required.

THEREFORE, IT IS ORDERED this 2nd day of **April , 2025** by this Administrative Law Judge that the Petition for Special Hearing from BCZR, §500.7, to approve a proposed office use in the existing office building located on the Property, in accordance with Case No. 1973-0276-X, originally granting a special exception for a former office use, and in accordance with BCZR, §502.5A, be, and it is hereby, **GRANTED**.

The relief granted herein shall be subject to the following:

1. Petitioners may apply for necessary permits and/or licenses upon receipt of this Order. However, Petitioners are hereby made aware that proceeding at this time is at their own risk until 30 days from the date hereof, during which time an appeal can be filed by any party. If for whatever reason this Order is reversed, Petitioners would be required to return the subject property to its original condition.
2. The Site Plan (Pet. Ex. 2) a copy of which is attached hereto, is incorporated herein.

Any appeal of this decision must be made within thirty (30) days of the date of this Order.



MAUREEN E. MURPHY  
Chief Administrative Law Judge  
for Baltimore County

MEM/dlm



# PETITION FOR ZONING HEARING(S)

To be filed with the Department of Permits, Approvals and Inspections  
To the Office of Administrative Hearings for Baltimore County for the property located at:

Address 413 Commonwealth Avenue, Suite 4, Catonsville, MD 21228 Currently Zoned DR 16  
Deed Reference 47574 / 00264 10 Digit Tax Account # 1600011384  
Owner(s) Printed Name(s) Debobeth Firm Limited Liability Company

(SELECT THE HEARING(S) BY MARKING  AT THE APPROPRIATE SELECTION(S) AND ADDING THE PETITION REQUEST)

The undersigned, who own and occupy the property situate in Baltimore County and which is described in the plan/plat attached hereto and made a part hereof, hereby petition for an:

1.  a **Special Hearing** under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve a proposed office use in the existing office building located on the Property, in accordance Case No. 1973-0276-X., originally granting a special exception for a former office use.  
**Please see attached regarding reasons for this requested of relief to be presented at hearing.**

2.  a **Special Exception** under the Zoning Regulations of Baltimore County to use the herein described property for

3.  a **Variance** from Section(s)

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons: (Indicate below your hardship or practical difficulty or indicate below "TO BE PRESENTED AT HEARING". If you need additional space, you may add an attachment to this petition)

Property is to be posted and advertised as prescribed by the zoning regulations.  
I/ we agree to pay expenses of above petition(s), advertising, posting, etc. and further agree to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.  
**Legal Owner(s) Affirmation:** I / we do so solemnly declare and affirm, under the penalties of perjury, that I / We are the legal owner(s) of the property which is the subject of this / these Petition(s).

### Contract Purchaser/Lessee:

Vite-Test, LLC, dba Fastest Lab and Geraldine Pluviose

Name - Type or Print  
G. Pluviose  
Signature  
10788 Pam Drive Waldorf MD  
Mailing Address City State  
20603 / GPJuvios@childrensnational.org  
Zip Code Telephone # Email Address

### Legal Owners (Petitioners):

Debobeth Firm Limited Liability Company

Name #1 - Type or Print Name #2 - Type or Print  
Mesly Fadya [Signature] 12/3/24  
Signature #1 Signature #2  
413 Commonwealth Avenue, Suite 1 Catonsville MD  
Mailing Address City State  
21228 / /  
Zip Code Telephone #'s (Cell and Home) Email Address

### Attorney for Petitioner:

Brooke A. Hutchins - Rosenberg Martin Greenberg LLP

Name - Type or Print  
Brooke A. Hutchins  
Signature  
25 S. Charles Street, 21st FL Baltimore MD  
Mailing Address City State  
21201 / 410-727-6600 bhutchins@rosenbergmartin.com  
Zip Code Telephone # Email Address

### Representative to be contacted:

Brooke A. Hutchins - Rosenberg Martin Greenberg LLP

Name - Type or Print  
Brooke A. Hutchins  
Signature  
25 S. Charles Street, 21st FL Baltimore MD  
Mailing Address City State  
21201 / 410-727-6600 / bhutchins@rosenbergmartin.com  
Zip Code Telephone # Email Address

Case Number 2025-0013-SPH Filing Date 21 2025 Do Not Schedule Dates \_\_\_\_\_ Reviewer [Signature]

**Attachment to Zoning Petition for 413 Commonwealth Avenue, Suite 4**

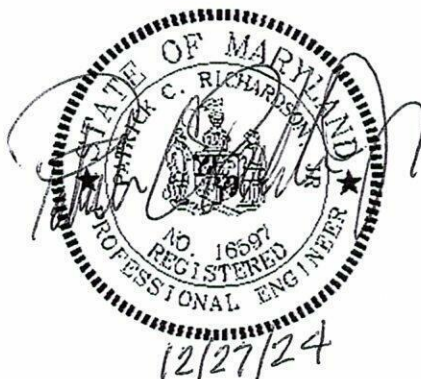
Special Hearing Relief

1. Special Hearing pursuant to Section 500.7 of the Baltimore County Zoning Regulations to confirm that the use proposed by the Petitioner is permitted at the Property located in the DR 16 Zone.
2. For such other and further relief as may be deemed necessary by the Administrative Law Judge.

**ZONING PROPERTY DESCRIPTION FOR  
413 COMMONWEALTH AVENUE  
1<sup>st</sup> ELECTION DISTRICT  
1<sup>st</sup> COUNCILMANIC DISTRICT  
BALTIMORE COUNTY, MARYLAND**

Beginning at a distance of 288.70' +/- northeasterly of the intersection of Old Frederick Road and Commonwealth Avenue being 40' wide. Running along and binding the southeast side of Commonwealth Avenue (1) North 16 degrees 05 minutes 30 seconds East 120.00 feet, (2) South 73 degrees 54 minutes 30 seconds East 106.31 feet (3) South 16 degrees 58 minutes 30 seconds West 20.00 feet, (4) South 72 degrees 08 minutes 30 seconds East 106.00 feet, (5) South 17 degrees 51 minutes 30 seconds West 100.00 feet, (6) North 72 degrees 08 minutes 30 seconds West 104.46 feet, to the place of beginning.

Containing a net area of 23,080 square feet or 0.53 acres +/-.

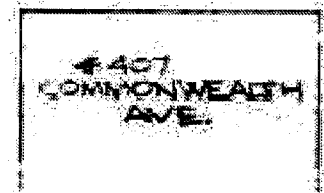
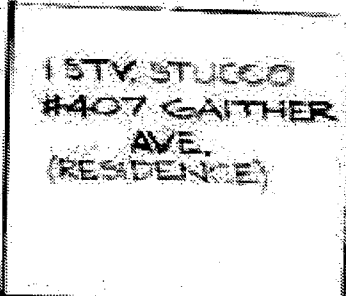
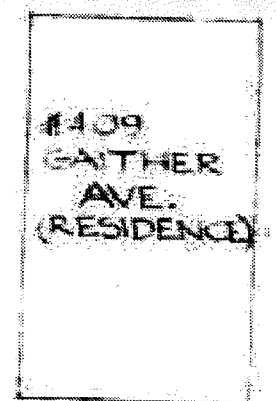
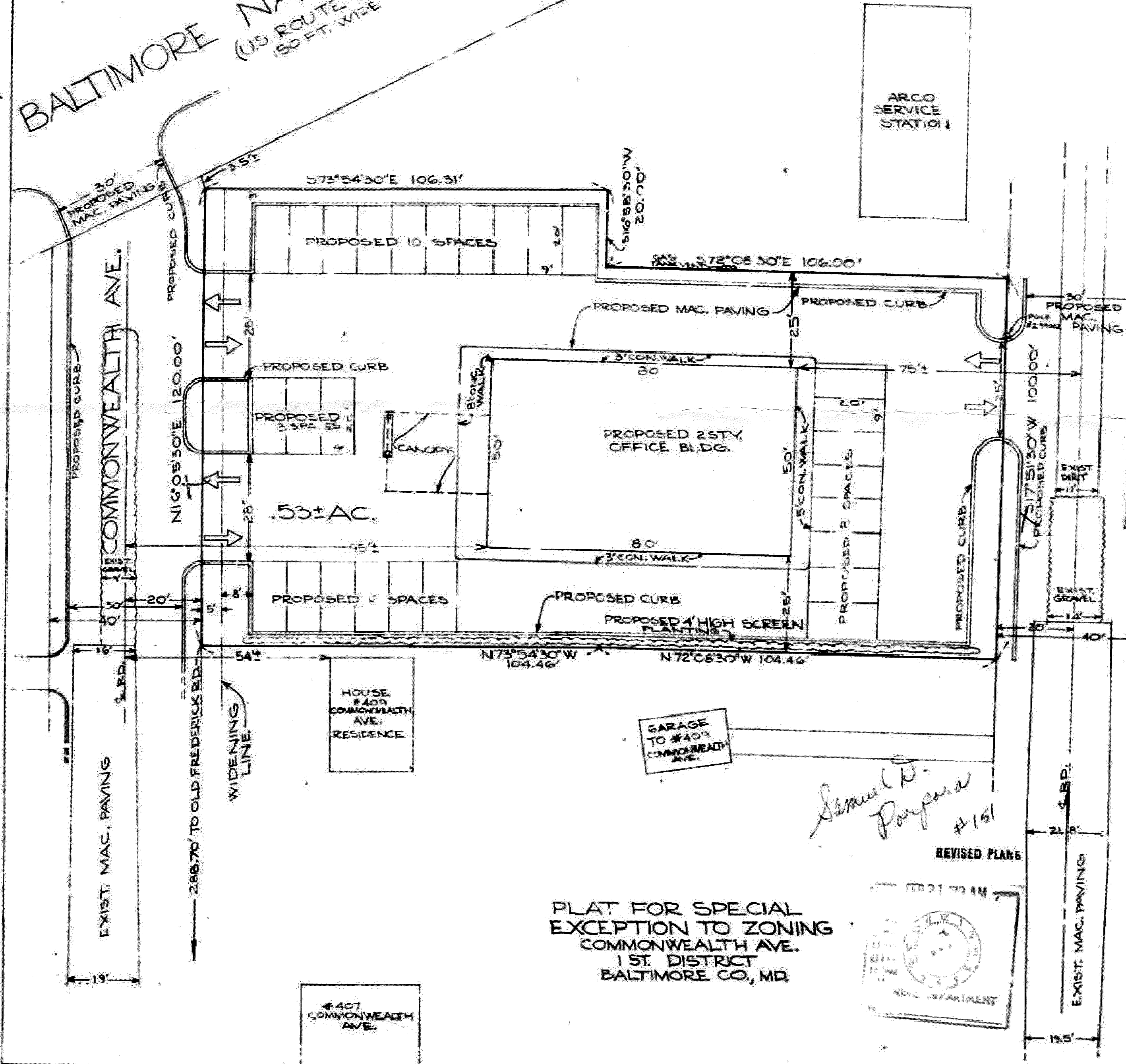


**PROFESSIONAL CERTIFICATION:**

I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND, LICENSE NUMBER 16597, EXPIRATION DATE: 08-15-2025

BALTIMORE NATIONAL PIKE  
 (US ROUTE #40)  
 50 FT. WIDE

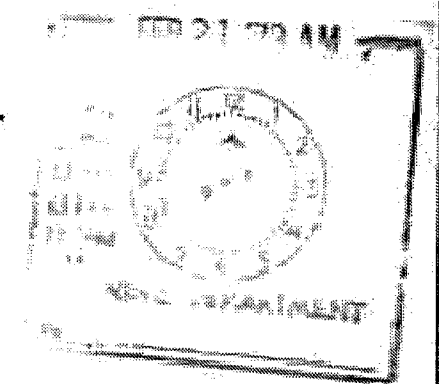
GENERAL NOTES:  
 EXISTING ZONING: DR 1G  
 PROPOSED ZONING: DR 1G WITH  
 SPECIAL EXCEPTION FOR OFFICE.  
 PARKING REQUIREMENTS:  
 OFFICE: 2,000 sq/300' = 27  
 TOTAL REQUIRED: 27 SPACES  
 TOTAL PROVIDED: 27 SPACES  
 TOTAL AREA OF TRACT: .53± AC.



*Samuel D. Porpora #151*

REVISED PLANS

PLAT FOR SPECIAL EXCEPTION TO ZONING  
 COMMONWEALTH AVE.  
 1 ST. DISTRICT  
 BALTIMORE CO., MD.



*Robert E. Spillman*  
 REV. 2/19/73 M.F.E.  
 JOSEPH D. THOMPSON  
 ENGINEERS AND SURVEYORS  
 101 SHELL BLDG. 200 E. JOFFA RD.  
 TOWSON, MD. JAN 3, 1973  
 SCALE: 1"=30'

**DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS  
ZONING REVIEW OFFICE**

**ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS**

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/ neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the legal owner/petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least twenty (20) days before the hearing.\*

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the legal owner/petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

**OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID**

For Newspaper Advertising:

Case Number: \_\_\_\_\_  
Property Address: 413 Commonwealth Avenue, Suite 4, Catonsville, MD 21228  
Legal Owners (Petitioners): Debobeth Firm Limited Liability Company  
Contract Purchaser/Lessee: Vite-Test, LLC, dba Fastest Lab and Geraldine Pluviose

PLEASE FORWARD ADVERTISING BILL TO:

Name: Company/Firm (if applicable): Brooke A. Hutchins - Rosenberg, Martin, Greenberg, LLP  
Address: 25 S. Charles Street, 21st Floor  
Baltimore, MD 21201  
\_\_\_\_\_  
Telephone Number: 410-727-6600

\*Failure to advertise and/or post a sign on the property within the designated time will result in the Hearing request being delayed. The delayed Hearing Case will be cycled to the end of pending case files and rescheduled in the order that it is received. Also, a \$250.00 rescheduling fee may be required after two failed advertisings and/or postings.



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Name - Type or Print  
G. Pluviose  
Signature  
10788 Pam Drive Waldorf MD  
Mailing Address City State  
20603 / GPJuvios@childrensnational.org  
Zip Code Telephone # Email Address

### Legal Owners (Petitioners):

Debobeth Firm Limited Liability Company

Name #1 - Type or Print Name #2 - Type or Print  
Mesly Fadya [Signature] 12/3/24  
Signature #1 Signature #2  
413 Commonwealth Avenue, Suite 1 Catonsville MD  
Mailing Address City State  
21228 / /  
Zip Code Telephone #'s (Cell and Home) Email Address

### Attorney for Petitioner:

Brooke A. Hutchins - Rosenberg Martin Greenberg LLP

Name - Type or Print  
Brooke A. Hutchins  
Signature  
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Mailing Address City State  
21201 / 410-727-6600 bhutchins@rosenbergmartin.com  
Zip Code Telephone # Email Address

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Zip Code Telephone # Email Address

Case Number 2025-0013-SPH Filing Date 21 2025 Do Not Schedule Dates \_\_\_\_\_ Reviewer [Signature]

**Attachment to Zoning Petition for 413 Commonwealth Avenue, Suite 4**

Special Hearing Relief

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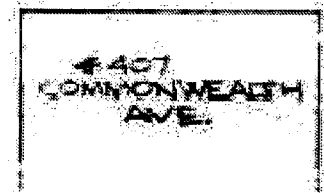
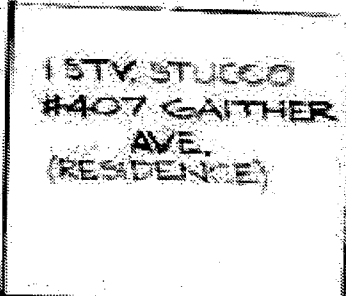
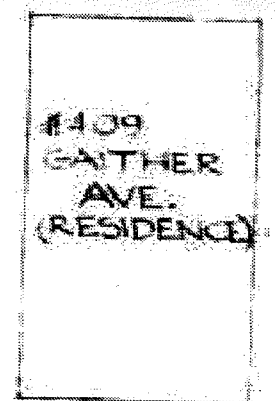
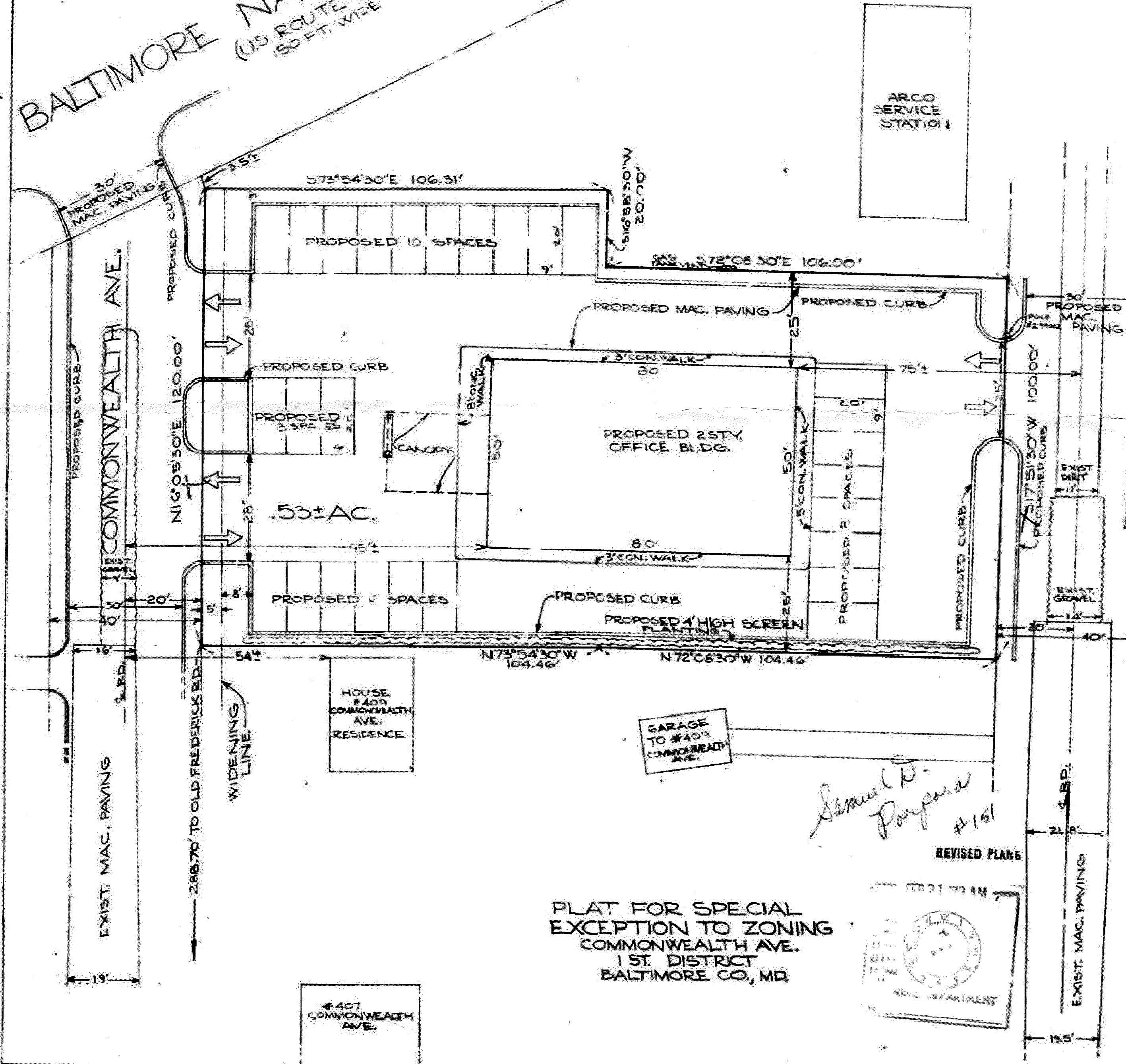


PROFESSIONAL CERTIFICATION:

I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND, LICENSE NUMBER 16597, EXPIRATION DATE: 08-15-2025

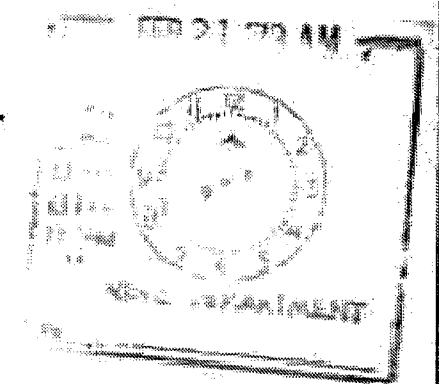
BALTIMORE NATIONAL PIKE  
 (US ROUTE #40)  
 50 FT. WIDE

GENERAL NOTES:  
 EXISTING ZONING: DR 1G  
 PROPOSED ZONING: DR 1G WITH  
 SPECIAL EXCEPTION FOR OFFICE.  
 PARKING REQUIREMENTS:  
 OFFICE: 2,000 sq/300' = 27  
 TOTAL REQUIRED: 27 SPACES  
 TOTAL PROVIDED: 27 SPACES  
 TOTAL AREA OF TRACT: .53± AC.



*Samuel D. Porpora #151*

REVISED PLANS



PLAT FOR SPECIAL EXCEPTION TO ZONING  
 COMMONWEALTH AVE.  
 1ST. DISTRICT  
 BALTIMORE CO., MD.

*Robert E. Spillman*  
 REV. 2/19/73 M.F.E.  
 JOSEPH D. THOMPSON  
 ENGINEERS AND SURVEYORS  
 101 SHELL BLDG. 200 E. JOFFA RD.  
 TOWSON, MD. JAN 3, 1973  
 SCALE: 1" = 30'



**Certificate of Posting**

**Case# 2025-0013-SPH**

**Petitioner/Developer**

**Rosenberg Martin Greenberg**

**Adam Baker**

**Date of Hearing/Closing**

**March 3, 2025**

**Baltimore County Department of Permits and Management**

**County Office Building Room 111; 111 West Chesapeake Ave. Towson Md. 21204**

**Attention:**

**Ladies and Gentlemen:**

**This is to certify under penalties of perjury that the necessary sign/signs required by law were posted conspicuously on the property located at**

**413 Commonwealth Avenue on February 7, 2025.    Signs 1A & 1B**

**Sincerely, Martin Ogle**

**Martin Ogle**

**9912 Maidbrook Road**

**Parkville, Md. 21234**

**443-629-3411**

**BALTIMORE COUNTY, MARYLAND**

**Inter-Office Correspondence**



TO: Hon. Maureen E. Murphy; Chief Administrative Law Judge  
Office of Administrative Hearings

FROM: Jeff Livingston, Department of Environmental Protection and  
Sustainability (EPS) - Development Coordination

DATE: February 7, 2025

SUBJECT: DEPS Comment for Zoning Item # 2025-0013-SPH  
Address: 413 COMMONWEALTH AVENUE  
Legal Owner: Vlte-Test, LLC dba Fastest Lab and Geraldine Pluviose

Zoning Advisory Committee Meeting of February 7, 2025.

X The Department of Environmental Protection and Sustainability has no  
comment on the above-referenced zoning item.

Additional Comments:

Reviewer: Earl D. Wrenn

**BALTIMORE COUNTY, MARYLAND**

**INTEROFFICE CORRESPONDENCE**

**TO:** Peter Gutwald, Director  
Department of Permits, Approvals

**DATE:** February 3, 2025

**FROM:** Vishnu Desai, Supervisor  
Bureau of Development Plans Review

**SUBJECT:** Zoning Advisory Committee Meeting  
Case 2025-0013-SPH

*The Bureau of Development Plans Review has reviewed the subject zoning items and we have the following comments.*

**DPR:** No Comment.

**DPW-T:** No Exception taken.

**Landscaping:** If Special Hearing is successful, a Landscape Plan is required per the Baltimore County Landscape Manual and a Lighting Plan is also required for new proposed Lights.

**Recreations & Parks:** No comment LOS & No Greenways affected.

# BALTIMORE COUNTY, MARYLAND

## INTER-OFFICE MEMORANDUM

**TO:** C. Pete Gutwald  
Director, Department of Permits, Approvals and Inspections

**DATE:** 2/11/2025

**FROM:** Steve Lafferty  
Director, Department of Planning

**SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS**  
Case Number: 2025-0013-SPH

**INFORMATION:**

**Property Address:** 413 Commonwealth Avenue  
**Petitioner:** Debobeth Firm Limited Liability Company  
**Zoning:** D.R. 16  
**Requested Action:** Special Hearing

The Department of Planning has reviewed the petition for the following:

*Special Hearing -*

1. Pursuant to Section 500.7 of the Baltimore County Zoning Regulations to confirm that the use proposed by the Petitioner is permitted at the Property located in the DR 16 Zone.
2. For such other and further relief as may be deemed necessary by the Administrative Law Judge for Baltimore County.

The proposed site is a 0.53-acre property zoned D.R. 16. The site is located in an area that is a mix of business and residential. The applicant proposes to use the site for office space.

This site is currently improved with a structure used for office space. There are multiple access points for ingress and egress from Commonwealth Avenue. It is understood, through interactions with the landowner's representative, that the proposed use will function as a "medical office". The petitioner indicated that the use operations would include the collection and storage of specimens. There will be specimen collections done in the office but all specimen testing will be shipped and tested at an alternate location. It is understood that the properties current use is an Office. The current site design is existing and there are no intentions to make any alterations to the current layout.

The Baltimore County Zoning Regulations allows to two types of office uses in D.R. zones, one is by right and the other a special exception. BCZR section 1B01.1.A.18(e) states "Accessory uses or buildings other than those permitted only by special exception, including, but not limited to; Offices for the conduct of business incidental to the rental, operation, service or maintenance of apartment buildings", i.e., leasing office, maintenance building/office. BCZR section 1B01.1.C.12. states "Uses permitted by special exception. The following uses, only, are permitted by special exception in all D.R. Zones, subject to the restrictions hereinafter prescribed; Office or studios of physicians, dentists, lawyers, architects, engineers, artists, musicians or other professional persons, provided that any such office or studio is established within the same building as that serving as the professional person's primary residence at the time of application; does not occupy more than 25 percent of the total floor area of such residence; and does not

involve the employment of more than one nonresident professional associate nor two other nonresident employees.

The use of the property should maintain consistency with County zoning use regulations, while ensuring no significant changes in environmental impact, traffic patterns, or neighborhood aesthetics. The requested relief should be conditioned to ensure that it meets the intent of the zoning regulations, which prioritize land use that respects the business/residential environment and surrounding communities.

The Department of Planning is not opposed to the granting of the above request conditioned upon the following:

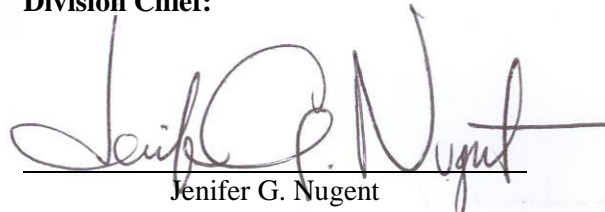
1. The applicant can demonstrate to the satisfaction of the Administrative Law Judge, that the proposed office use qualifies as either a by right or special exception use pursuant to the Baltimore County Zoning Regulations.
2. It is confirmed by the Office of Zoning Review that a variance will not be required for Residential Transition Areas (RTA's) pursuant to 1B01.1.B.1.
3. Any other or further relief as may be deemed necessary by the Administrative Law Judge for Baltimore County.

For further information concerning the matters stated herein, please contact Brett Williams of the Department of Planning at 410-887-3482.

**Prepared by:**

  
\_\_\_\_\_  
Krystle Patchak

**Division Chief:**

  
\_\_\_\_\_  
Jenifer G. Nugent

SL/JGN/KP

c: Brooke A. Hutchins, Rosenberg Martin Greenberg LLP  
Abigail Rogers, Community Planner  
Jeff Perlow, Zoning Review  
Kristen Lewis, Zoning Review  
Office of Administrative Hearings  
People's Counsel for Baltimore County

Real Property Data Search ( )  
Search Result for BALTIMORE COUNTY

[View Map](#)

[View GroundRent Redemption](#)

[View GroundRent Registration](#)

Special Tax Recapture: None

Account Number: District - 01 Account Identifier - 1600011384

### Owner Information

Owner Name: DEBOBETH FIRM LIMITED LIABILITY COMPANY Use: COMMERCIAL  
Principal Residence: NO  
Mailing Address: 413 COMMONWEALTH AVE Deed Reference: /47574/ 00264  
CATONSVILLE MD 21228-

### Location & Structure Information

Premises Address: 413 COMMONWEALTH AVE Legal Description: PT LT 19-24-76-80  
CATONSVILLE 21228- 288 N OLD FREDERICK RD  
MCDONOUGH HEIGHTS

Map: Grid: Parcel: Neighborhood: Subdivision: Section: Block: Lot: Assessment Year: Plat No:  
0095 0019 0275 30000.04 0000 C 19 2024 Plat Ref: 0005/ 0069

Town: None

Primary Structure Built	Above Grade Living Area	Finished Basement Area	Property Land Area	County Use
			21,780 SF	15

Stories	Basement	Type	Exterior	Quality	Full/Half Bath	Garage	Last Notice of Major Improvements
			/				

### Value Information

	Base Value	Value		Phase-in Assessments	
		As of	As of	As of	As of
Land:	291,700	01/01/2024	07/01/2024	07/01/2025	
Improvements	981,400				
Total:	1,273,100	1,058,200	1,058,200	1,058,200	
Preferential Land:	0	0			

### Transfer Information

Seller: FOLGUERAS ALBERT	Date: 12/01/2022	Price: \$1,100,000
Type: ARMS LENGTH IMPROVED	Deed1: /47574/ 00264	Deed2:
Seller: FOLGUERAS ALBERT	Date: 06/21/1999	Price: \$0
Type: NON-ARMS LENGTH OTHER	Deed1: /13836/ 00644	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:

### Exemption Information

Partial Exempt Assessments: Class		07/01/2024	07/01/2025
County:	000	0.00	
State:	000	0.00	
Municipal:	000	0.00 0.00	0.00 0.00

Special Tax Recapture: None

### Homestead Application Information

Homestead Application Status: No Application

### Homeowners' Tax Credit Application Information

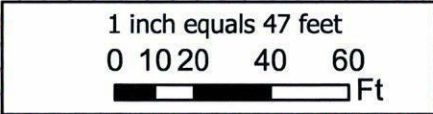
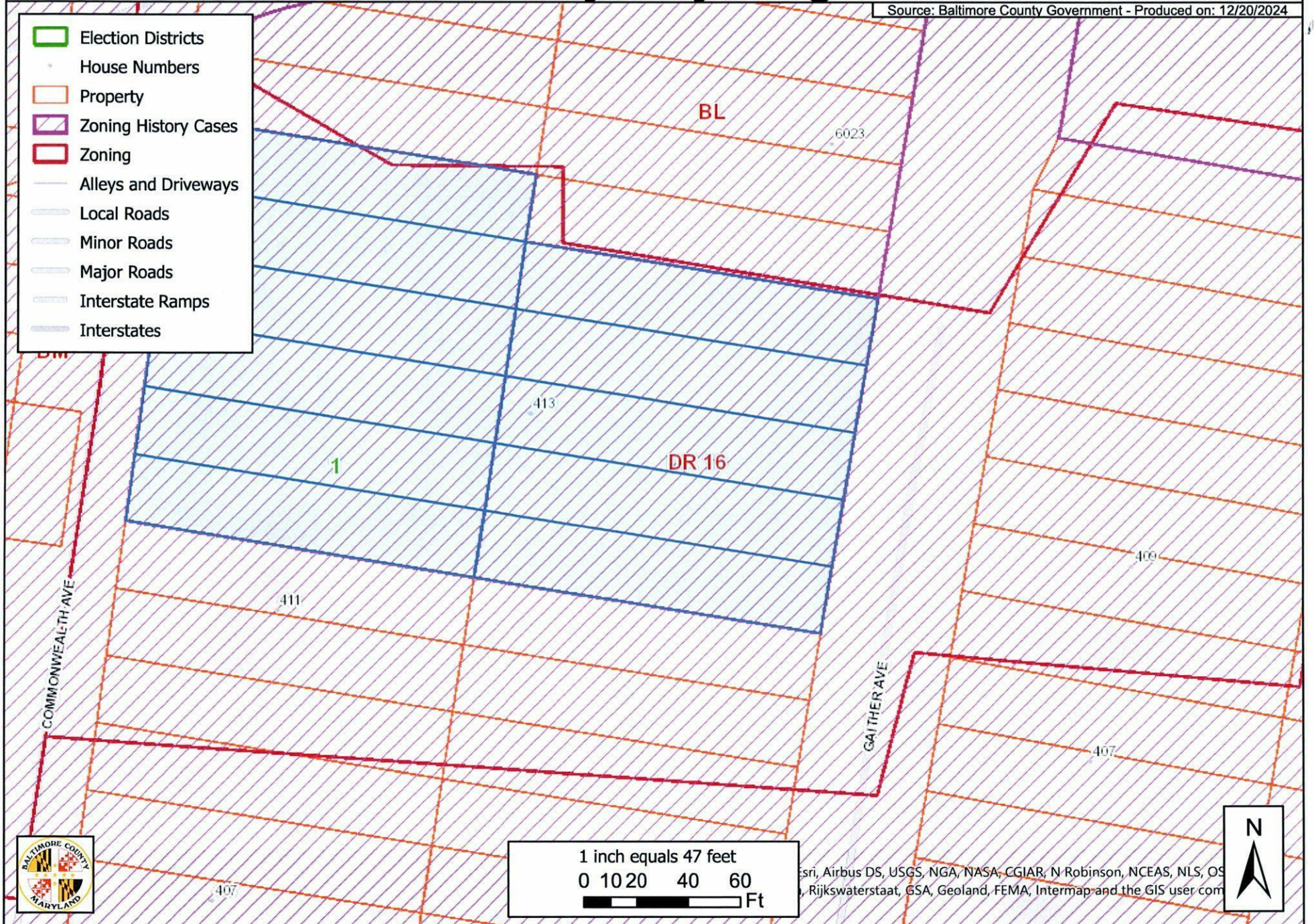
Homeowners' Tax Credit Application Status: No Application

Date:

# Baltimore County - My Neighborhood

Source: Baltimore County Government - Produced on: 12/20/2024

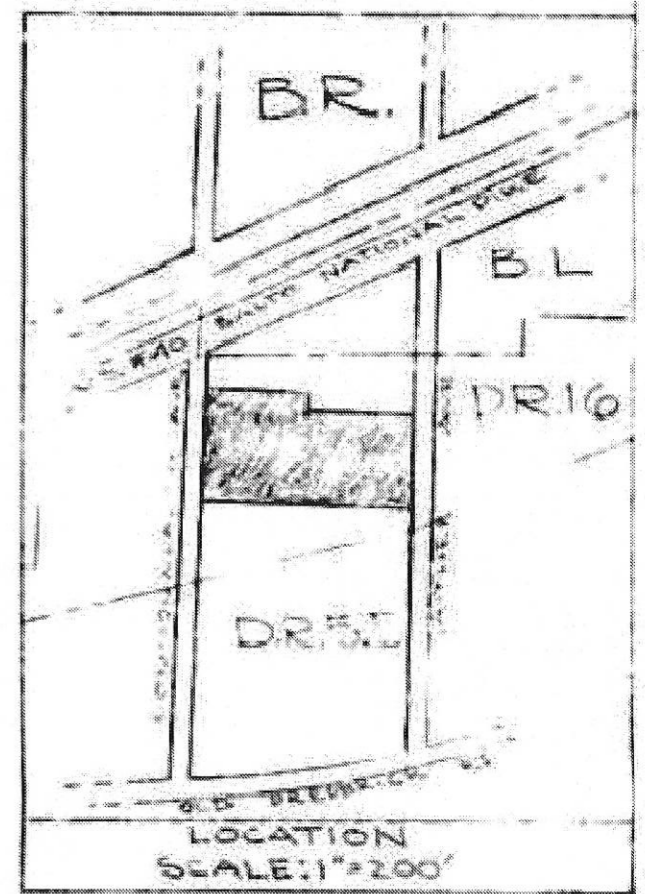
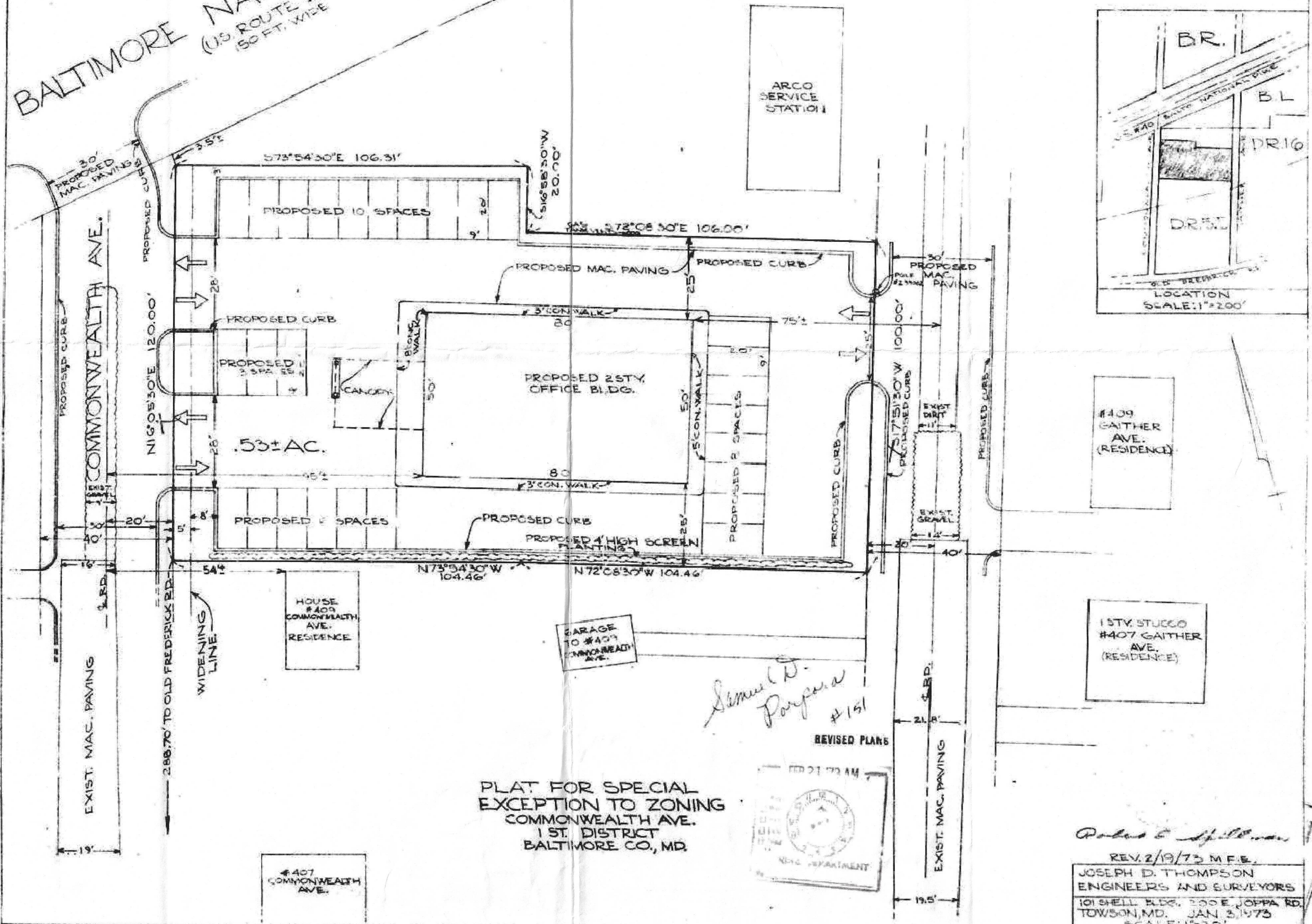
- Election Districts
- House Numbers
- Property
- Zoning History Cases
- Zoning
- Alleys and Driveways
- Local Roads
- Minor Roads
- Major Roads
- Interstate Ramps
- Interstates



Esri, Airbus DS, USGS, NGA, NASA, CGIAR, N- Robinson, NCEAS, NLS, OS, Rijkswaterstaat, GSA, Geoland, FEMA, Intermap and the GIS user com

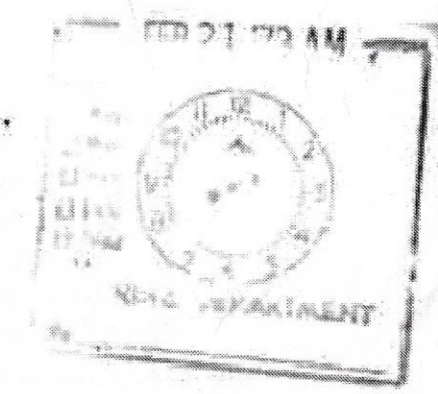
BALTIMORE NATIONAL PIKE  
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 50 FT. WIDE

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 PROPOSED ZONING: DR 16 WITH  
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