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Debate over BRAC has rezoning role

Reclassification of 28 acres in Elkridge is an issue that faces the Zoning Board

by a sun reporter

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The nation's military realignment - particularly as it relates to the Baltimore-Washington metropolitan area - continues to play a major role in the debate over the proposed rezoning of almost 28 acres in Elkridge.

The issue has been proffered as critical to the county's economic health as well as vilified as a distant event with unknown consequences. Still in question, however, is whether the issue be judged by the Zoning Board to be germane.

Numerous homeowners, who oppose the rezoning, hope not.

Katherine L. Taylor, an attorney retained by opponents, described BRAC - Base Closure and Realignment Commission - as "irrelevant" to the case. But at Wednesday night's hearing on the case, she proceeded to spend 20 minutes on the BRAC topic, saying she was obligated to do so because proponents of the rezoning have raised the subject so fervently.

The realignment is projected to bring 5,300 jobs to Fort Meade and the surrounding area. Up to 15,000 additional defense-related, service and retail jobs are expected to be created over time.

The hearing was the second on an application by Nancy Cavey, the administrator of the estate of her parents, Carroll and Ruth Braun, to rezone 14 acres from residential to planned office research (POR) and 13.5 acres to community center transition (CCT) for 13.5 acres. The property is at Routes 100 and 103. The hearing will resume May 10.

While there are no formal plans, Cavey has said she envisions residential and commercial uses on the property. The land was rezoned last year, but that action was thrown into limbo by a referendum challenging all rezoning under what is commonly referred to as Comp Lite. Voters will decide the referendum in November's general election.

To remove the property from the referendum, the Zoning Board must rule that the character of the neighborhood has substantially changed, making existing zoning for the property no longer viable, or that the county erred in not rezoning the land in 2004 as sought.

The board is made up of the County Council - meaning it is, in effect, sitting in judgment of itself.

Melanie Moser, a land-use consultant, testified that a mistake was made and that the neighborhood has changed.

She said construction of Route 100 in the 1990s began transforming the area into more of a commercial region. Moser said the Cavey property is "a prime location" for office development, and she said that the impact of BRAC will require construction of office buildings.

Moser said available land for employment uses has declined to 17 percent from the 25 percent envisioned by the county's General Plan. She said the impact on the neighborhood of commercial development on the Cavey property would be "benign."

Taylor described the case by Cavey's attorney, David A. Carney, as "a moving target," accusing him of changing his chief arguments many times.

"Usually when I make opening statements, I know what the other side's theory is," she said. "And here, it's hard to determine at this point what the theory is. ... We will show you why all of these theories fail."

Thomas C. Snyder, former director of the state's Air and Radiation Management Administration, who served on a committee studying BRAC, testified that the effects of military realignment are several years off and that there is likely to be a greater demand for residential than commercial development.

Laurie Ramey, vice president of the Willowood homeowners association, said residents are opposed to the rezoning.

The rezoning, Ramey said, would worsen traffic in the area and probably ignite additional commercial development along Route 103.

"It will have a negative impact on the community," she said.

She testified that construction of Route 100 did not change the area greatly. "It's primarily residential, and it was then."

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