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FOR IMMEDIATE RELEASE

Walkersville Board of Appeals Denies Mosque Application
Landowner David W. Moxley “disappointed” in decision

On February 7, 2008, the Walkersville Board of Appeals rejected the application of the Ahmadiyya Muslim Community (“AMC”) to use a 224-acre parcel of land as a place of worship on agriculturally zoned land that permits such uses by special exception. The Board’s deliberations suggested that it was adopting a position that locating on Route 194 was inappropriate for the mosque, even though the State Highway Administration did not list any objections to the plan.

“The Board’s decision is both irrational and discriminatory,” said attorney Roman Storzer. “Irrational because the suggestion that locating on a smaller country road is better than a major arterial makes no sense from a land use perspective. Discriminatory because this conflict has been defined from day one by a desire to keep a Muslim group out of the area.”

Early opposition to the AMC’s application centered on fears of a Muslim presence in rural Walkersville. More recently, opponents have organized in an attempt to limit their public comments to issues such as water availability—although the property has an ample private supply—and traffic (which has not prevented the Town from granting a recent application for a private school and permitting a large annual Carnival to take place). “Too little, too late,” said Storzer. “If this ends up in court, a judge will easily see through such post hoc rationalizations.”

Available legal options include a civil rights action being brought in federal court to enforce the religious freedom protections of the federal and Maryland constitutions and the Religious Land Use and Institutionalized Persons Act (“RLUIPA”), passed by Congress in 2000 to combat discrimination in zoning proceedings.

“The AMC has handled this controversy with patience and grace,” said Storzer & Greene client and landowner David W. Moxley. “It’s unfortunate that they have had to suffer such hostility at the hands of a vocal opposition intent on keeping them out of Walkersville at all costs.”

The attorneys of Storzer and Greene, P.L.L.C. have represented scores of religious organizations in land use conflicts from Hawaii to Florida. Mr. Storzer has been described by the Religion Newswriters Association as “one of the country’s most experienced litigators” in religious land use law, and has successfully represented Christian, Jewish, Muslim, Hindu, Buddhist, Native American, Sikh and other faith groups in RLUIPA and First Amendment cases throughout the nation.

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