



News

Home > Local News

Text Size + | Text Size -

Landowner's attorney considering legal options

Originally published February 09, 2008

By **Gina Gallucci**
News-Post Staff

WALKERSVILLE -- The Board of Zoning Appeals may have denied the Ahmadiyya Muslim Community's request to build a worship and recreation center, but the owner of the agriculturally zoned land may take the case elsewhere.

"We are examining all of our options," attorney Roman Storzer said Friday. "We are considering a legal challenge seriously."

Storzer represents David Moxley, who owns the 224 acres at 8939 Woodsboro Pike on which Ahmadiyya wants to build the center.

The options include a civil rights action taken in federal court regarding enforcement of the religious freedom protections in the federal and Maryland constitutions and the Religious Land Use and Institutionalized Persons Act, Storzer said.

The act is a federal statute, passed by Congress in 2000, to provide stronger protection for religious freedom in land use.

In August, Ahmadiyya announced its intention to buy Moxley's farm to build the center for 20 local families. The site would also be home to the annual Jalsa Salana festival, which would attract between 5,000 and 10,000 people.

After 11 days of hearings, the three board members spent about two and a half hours Thursday explaining why they voted to deny the exception to build a religious center on agricultural land. The board cited the more than a dozen factors it used to make its decision, including the availability of firefighting equipment, traffic and the orderly growth of the town.

Storzer believes the evidence should have led the board to approve the center. He believes it was turned down because of an undercurrent of hostility toward Muslims.

"A court will be able to see this controversy for what it is," Storzer said. "The town declared war on this group."

He said it was a "sad state of affairs" when Ahmadiyya members are not allowed to worship freely in America. Many, he said, left their native countries because they were persecuted for their beliefs.

Steve Berryman is the spokesperson for the Citizens for Walkersville, a group that opposed the exception. He believes it is doubtful a court would overturn the board's decision based on religious bias.

Any mention of religion was quickly silenced by the board during the hearings.

During a Jan. 11 hearing, Storzer asked one resident representing a homeowners association if he had ever heard any anti-Muslim sentiments at association meetings.

Board chairperson Dan Thomas stopped the line of questioning, saying it was not relevant.

storytools

- [Print this Story](#)
- [Email this Story](#)
- [Post/View Comments \(59\)](#)
- [Purchase Photos](#)

topheadlines

- Thurmont police officer under investigation resigns
- Police blotter
- Part 2 of 2: Man's struggle reveals flaws in housing authority guidelines
- Juveniles detained for assault, car theft
- Will wintry mix defeat voters?

topjobs

[View all >](#)

- CLASS A CDL DRIVERS
- SECURITY OFFICERS
- RN CHARGE NURSES & CERTIFIED DIETARY MANAGER
- Director of Information Technology Services, Shepherd University
- RNAC

Advertisements

[Post your comments >>](#)