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Proposal would allow Banner School in Walkersville

Change would still block Muslim community

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By Sarah Fortney
News-Post Staff

WALKERSVILLE -- Town Commissioner Chad Weddle said Wednesday he could see how some might view his recent proposal to amend a planning ordinance as discriminatory, but his intentions are only to better the community.

The town's commissioners will soon consider the proposal, which would allow the Banner School to build a new facility on agricultural land.

The Banner School had been blocked from construction after the town passed an ordinance April 9 that deleted special exceptions on agricultural land. The ordinance prohibited educational facilities, as well as places of worship, private clubs, recreational facilities and antique shops from being built in those areas.

The April ordinance came about seven months after the Ahmadiyya Muslim Community applied to build a worship and recreation center on agricultural land on Woodsboro Pike owned by David Moxley.

Only the school and the Ahmadiyya Muslim Community were affected by the April ordinance, town manager Susan Hauver said.

The current proposal, which the planning commission recommended to the town commissioners in a 6-1 vote Tuesday night, would allow the Banner School to proceed because it had obtained a special exception more than one year prior to the April ordinance.

The school had been approved for its exception when the ordinance was passed; AMC had not.

The Banner School, at 1739 N. Market St. in the old Odd Fellows Home, first came to the town's commissioners with plans to develop near the Walkersville Southern Railroad and Biggs Ford Road in March 2006. The school was approved that year.

The April ordinance was not meant to slow down the school's development, Weddle said. Therefore, he hopes the amendment will help it move forward.

Because school officials had gone through the process and town commissioners had already given their approval, Weddle said, the construction should be able to proceed.

Leslie McLean, head of the Banner School, was pleased to hear the amendment could "keep us in the ball game." McLean said officials must figure out how to connect the school to the town's water and sewer supply.

During a town meeting scheduled for Sept. 10, town commissioners will discuss and possibly vote to uphold Weddle's proposal, Hauver said.

Syed Ahmad, spokesman for the AMC, had little to say on the matter other than the group is no longer interested in Walkersville.

Roman P. Storzer, an attorney for Moxley, said he applauds local governments that accommodate schools and other social institutions, though he wishes the same benefits would have been offered to the Muslim group.

Storzer is expecting an answer from the town's commissioners by mid-September on a lawsuit he and Moxley filed in federal court in July.

The suit, which seeks \$16.5 million in damages, claims town officials violated the Religious Land Use and Institutionalized Persons Act of 2000 by refusing to allow a mosque on Moxley's property.

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