

The Battle for Hoehns Road: Property Rights versus Muslim Supremacy

by Jerry Gordon (September 2015)



Hoehns Bolton Estate, Henrico County, Virginia

Source: [Virginia Free Citizen](#)

A battle is going on in exurban Henrico County in central Virginia between legacy property rights of a private road and expansion of the [Islamic Center of Richmond](#) (ICR). The [ICR website](#) estimates there are 1,500 Muslim residents in the West End of Richmond. The battle is not about freedom to worship protected under the First Amendment and federal laws granting exemption waivers from local land zoning laws. Instead it is about the abuse of the courts through lawfare to create a Muslim preserve in Central Virginia through *force majeure*, harassment and intimidation. The actors in the dispute are [Sylvia Hoehns-Wright](#), an expert horticulturalist and author versus the land agent for the ICR, [Yunus Vohra](#), a commercial property developer embroiled in bankruptcy proceedings and litigation. Vohra [contended](#) at an August 2014 County Planning hearing that the delay in rezoning applications by the ICR reflected anti-Muslim bias.

Among the few national groups endeavoring to raise public awareness of the Hoehns-Wright litigation battle brought by Vohra, ICR land agent, is the National Security Task Force of the [Lisa Benson Show](#) airing Sundays on KKNT960The Patriot.

On September 28, 2015, a four day trial will be held on a complaint brought by Vohra, a land agent for the ICR, against Wright. A State Court proceeding held in Henrico County on August 7, 2015 ruled against Wright who filed a compel order on February 18, 2015 seeking discovery rights to information providing the basis for the complaint brought by Vohra. Judge Lee H. Harris in the State Circuit court ruled in favor of Vohra on the grounds that his attorney's review of the information was sufficient to proceed to trial as he trusted his

representations as an officer of the court. Vohra has ratcheted up the litigation by filing a witness list that amounts to a dragnet of local and state planning officials up to and including the Commonwealth Attorney assigned to Henrico County, Virginia, Shannon Taylor. They allegedly support Vohra's position that the ICR is being subjected to a conspiracy laced with alleged racist overtones; specious on its face as Islam is a belief system, its adherents don't constitute a race. The trial in Henrico County State Circuit Court will culminate a four year battle for possession of a legacy private road providing access and egress for nine residences in the subdivision of Hoehns Lakeview Farms in Henrico County.

The complaint was originally brought in November 2013 by Vohra against the dominant landholder, Ms. Sylvia Hoehns-Wright, an expert horticulturalist, and her neighbors seeking possession of the private Hoehns Road. It was expanded in January 2014 to include others, some who reside in the complex and others who do not reside in the area, alleging that they and Wright constituted a "business conspiracy" depriving Vohra and his ICR invitees of egress to an adjacent parcel to build a Muslim village. Wright and counsel contended in a June 2014 hearing in state court that the ICR already has sufficient egress to their property. The ICR complaint is seeking treble damages and reimbursement of the costs of the litigation estimated at \$1.5 million and possession of the private Hoehns Road. Problem is that Vohra's request for a survey was turned down by the County Planning Commission.



Yunus Vohra of ICR trespassing on Hoehns Road

Wright and her neighbors have had repeated violations of active trespass on the private road by Vohra and ICR members who have accused Wright and county planning board members of racism for blocking access and development of the property. In the run up to the September 2015 civil trial Vohra filed a police report accusing Wright of violating his property by planting ornamental flowers on the road's periphery which is an activity protected by "property rights" recorded in the Henrico County records room. To add to the already toxic climate, one of Wright's witnesses reported finding a dead snake and mole, positioned in such a manner to represent Islamic symbols of an evil intent and theft. The expanded complaint, coupled with evidence of aggressive trespass and threats of intimidation are in furtherance of the ICR's objective of block

busting the subdivision so that it can develop a so-called Muslim village on an adjacent parcel to the private Hoehns Road. The [legal definition](#) of “block busting” is:

The practice of illegally frightening homeowners by telling them that people who are members of a particular race, religion, or national origin are moving into their neighborhood and that they should expect a decline in the value of their property. The purpose of this scheme is to get the homeowners to sell out at a deflated price.

An unscrupulous real estate agent will subsequently sell the vacated homes to minority group members at an inflated price, thereby obtaining a large profit. Fair access to housing is defeated by blockbusting.



Map of Hoehns Road

Source: WTVR

The rights to the easements present-day known as Hoehns Road were granted to Ms. Wright’s father in 1939 by his mother under Virginia’s “[quiet possession](#)” laws. The original property was acquired by Ms. Wrights’ Quaker family who settled there in 1838. Ms. Wright was granted the land and its easements rights in 1983. In 2011 a relative sold seven acres with several small outbuildings to Vohra, who then gifted half of the property to the ICR for construction of a 31,000 square foot mega mosque complex, inclusive of sanctuary, Muslim school and community center. Ms. Wright contested the original County approval in 2012 of the ICR project and the County scaled down the size of the plan to 10,000 square feet. Wright’s neighbors, on her behalf, filed a request in June 2012 with former US House Majority Leader Eric Cantor. He submitted the question on the dispute to the US Department of Justice Civil Rights Division then headed by Assistant Attorney General Thomas Perez, now Labor Secretary in the Obama Administration. Perez replied in a letter dated September 5, 2012 sent to Cantor, he determined that the dispute involved property rights and not exemption waivers from local land zoning under the Federal [Religious Land Use and Incarcerated Persons Act of 2000 \(RLUIPA\)](#). In his letter to Cantor, Perez concluded:

Complaints related to this site appear to be the result of a failure to be

respectful of the property rights of nearby property owners and the surrounding community's expectation of public safety and welfare. While Henrico County is operating under a consent decree issued by the United District Court for the Eastern District of Virginia related to a dispute to rezone property to build a mosque on Impala Drive, the Hungary Road site's issues fall outside of this purview. Enforcement of the Religious Land Use and Institutionalized Persons Act (RLUIPA) should not interfere with the County's standard regulations and procedures.

According to a [report](#) on RLUIPA cases the US Department of Justice:

RLUIPA, enacted in 2000, contains a number of different provisions protecting churches, synagogues, mosques, temples, and other places of worship from discrimination and undue interference with religious exercise through application of zoning and landmarking laws.

The consent decree involving mosque building in Henrico County that Perez referred to was entered into the Eastern Federal District Court of Virginia a year earlier on September 12, 2011 involved a dispute that arose over an application for a mosque in 2008. The background and scope of the consent decree created the basis for County Planning Department reviews imposing diversity training for officials and staff was summarized in this USD0J RLUIPA case [report](#):

The case arose from the county's denial of a 2008 application for construction of a mosque by 1241 Associates, LLC, a Muslim organization. The government's [complaint](#), which was filed with the court along with a proposed consent decree, alleged that the county's denial of the rezoning application was based on the religious bias of county officials and to appease members of the public who, because of religious bias, opposed the construction of the mosque. The complaint further alleged that the county treated the Muslim organization differently than non-Muslim groups that regularly have been granted similar rezoning requests.

As part of the settlement, the county agreed to treat the mosque and all religious groups equally and to publicize its non-discrimination policies and practices. The county also agreed that its leaders and various county employees will attend training on the requirements of RLUIPA. In addition, the county will

report periodically to the Justice Department.

Based on a [legal memorandum](#) prepared for a Brentwood mosque application in Williamson County Tennessee, existing RLUIPA case law will not prevent Henrico County, like many other localities in the same quandary across America, from using existing police powers to conduct background investigations of mega-mosque applications.



Trashed Hoehns Road No Trespassing Signs

The exurban area in Henrico County, the locus of the ICR civil trial proceedings against Wright and subdivision neighbors is zoned as mixed agricultural and residential lands. Following the acquisition of the land by ICR Wright filed complaints with the County of traffic and excessive unrestricted parking on the site for observances using the existing outbuildings on the property. Some have questioned this activity at the ICR as amounting to “[.](#)”

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