

# Diocese appeals zoning board decision on student center

By Drew Curley and Leslie Holste  
COLLEGIAN STAFF WRITERS  
dsc180@psu.edu, lah277@psu.edu

The Diocese of Altoona-Johnstown recently filed an appeal against the State College Zoning Hearing Board's decision to block the construction of a Catholic student center on the 100 block of East Park Avenue.

The appeal is in response to a 2-1 ruling on Feb. 7 in which the board decided the 21,000-square-foot center more closely resembles a student center rather than a church. If the building had been classified as a church, the con-

struction would have been protected by a zoning ordinance. According to the diocese's appeal, the zoning hearing board "committed an error in finding that the religious purposes and uses of the building were not the primary function of [the diocese] building."

Larry Sutton, finance director for the diocese, said the appeal was filed to allow the court to review the question of whether the center should be classified as a church or a student center. "The reason this is important is the existing zoning allows for a structure for religious purposes," he said.

However, the board said it would maintain its Feb. 7 decision.

"The primary use of the building was a student center, not a church," Michael Roeckel, Zoning Hearing Board chair, said. "The bottom line is that it seemed the chapel was more an accessory to the student center and not vice-versa."

Sutton said the center is primarily intended for religious activities.

"We're quite convinced the zoning appeal board, not intentionally, made mistakes," Sutton said. "The misunderstanding that has occurred is the erroneous focus on the word 'student.'"

Some local residents in College Heights Association said they did not think the diocese would win its appeal. The group filed its own appeal in

October against a decision by zoning officer Herman Slaybaugh to approve the center. "I think that the decision was fair and I think it was a well-thought-out decision. ... I'm hoping that the court sides with their decision," said Carolyn Kunz, president of the College Heights Association.

Kunz added that she did not know what steps the association would take if the diocese wins its appeal. "We take that step by step and the board will have to vote on that decision [to appeal the court's decision]," she said.

Former Association President Mary Barnes said the court's ruling would dictate the association's next move.

"You have to consider whether you will win, of course, because it costs a lot of money [to go through an appeal]," she said.

Slaybaugh said the outcome of the appeal could affect how the ordinances are applied if the court overturns the board's decision.

State College Borough Council President Tom Daubert said the borough is not directly involved in the appeal process, but the zoning regulations may be changed to be clearer for future zoning decisions.

Slaybaugh said it could be several months before a court date is set for the appeal.



**CUTTING KRU**  
HAIR CARE PROFESSIONALS

**\$5 OFF**

37-188  
34 East College Ave. M&T Bank  
Exp. 3-31-05

**ST. PATTY'S DAY!**  
**BACKSTREET LAW**  
OPEN AT NOON!  
\$5 MONKEY BOYS ALL DAY  
WITH SPECIAL "SHAMROCK" FLAVOR

**the Saloon**

**Z BAR**

**GUINNESS & HARP ON DRAFT!**  
**1/2 Price Happies 9-11!**  
**25 Beers on Tap**  
**PLUS:**  
**48oz \$6 Iced Tea Pitchers!**  
**ALL DAY EVERY DAY! BEER**  
**Biggest and Best in Town! LOVER?**

**CAFE 210 WEST**

**\$4.25 wraps 11am-10pm**  
**1/2 priced wings 4pm-midnight**

**J.P. Mills** 5pm - 7pm  
**JR & Katie** 7pm - 9pm  
**Maxwell Strait** 10pm - close

**SPECIALS**  
GREEN BEER  
GREEN FOOD  
GREEN CAFE TEAS

**Happy Hours**  
10PM-12PM

**Penn State Sub Shops #1**  
224 E. Beaver Ave 234-4308

**The Wall of Fame**

- Come in and get a Penn State Sub Shop Bag
- Take a really cool, original photo with the bag, on campus or around the world
- The staff will vote on your photo, and if it's unanimous, you get to be on the wall Plus a Free 14" Sub!

**\$1.50 CHEESE STEAKS**  
THURS-SAT 12-3AM

Making YOU famous  
1 Bag at a Time!

A PENN STATE TRADITION

**Thyest's**  
111 1/2 E. BEAVER AVE. 233-1405

**St. Patrick's Day**  
Doors open at 7 a.m. Thursday \$6.00 Cover  
Live Entertainment ALL Day

Free Hats and Beads for  
The First 1000 People!!

**1st Month Rent FREE**

At Southgate Apartments, we know how difficult money is to come by so to help you out, we offer the 1st month's rent free. You can thank us later.

1 & 2 bedroom apartment available  
3 bedroom townhouses available  
free fitness center  
free cable  
free parking

**Southgate**

www.southgate@gficap.com • 801-A Southgate Dr • Phone 814-234-0333

**CROWBAR**  
LIVE MUSIC

**ST. PATTY'S DAY**  
with Your Favorite Irish Band  
**O'VELVEETA**  
Special Nickel Nite 6-8!  
**OPEN AT 2!**  
www.crowbarlivemusic.com

**Sell it Fast! Collegian Classifieds**

**Corned Beef**  
Cabbage

**GUINNESS**

Corner of College & Allen St.

**Zeno's PUB**  
doors open at noon  
music starts at 3pm

**ST. PATTY'S DAY 2005 A.D.**

CORNER ROOM  
corned beef & cabbage  
IRISH SODA & MORE!

3pm Bluegrass  
3pm Screaming Ducks  
3:30pm Red Bismark

**Baby's Burgers**  
Burgers & Shakes

Make the St. Patty's Scene with Your Steady!

Chocolate Chip Sundae  
Bittersweet icecream topped with Oreo cookie crumbs, whipped cream, & a cherry. \$2.29

Chocolate Mint Shake \$2.99

**BABYSBURGERS.COM**

**Grill**  
231-GRILL  
Above the Corner Room

**Grill**  
231-GRILL  
Above the Corner Room

Sing Along with **Bill McFiler** at the Piano Bar

10 oz. Ribeye marinated in Guinness Stout, grilled & finished with roasted leeks in demi glaze. Served with Whipped Parsnips and Sautéed Asparagus.

**Emerald Island**  
Fresh Atlantic Salmon oven-roasted on cedar plank with Lemon-Dill butter. Accompanied by Whipped Parsnips and Sautéed Asparagus.

The Classic.

**TAKE SIX BOTTLE SHOP**

**IN GO HOP**

your favorite Irish Beer HERE!

**GUINNESS**

**HARP**

**MURPHY'S IRISH STOUT**

Next to Players Nite Club

**Players Nite Club**

THUR. 3/17 thru SAT. 3/19

**Not Your mama's Bikini Contest**

CASH PRIZES totaling \$1000