

Short-Term Rental Issue Unresolved

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Commission Hearing Continues Tonight

By [Heather Bowser](#)

HARRISONBURG - With more than 3½ years of controversy behind it, the neighborhood battle over the legality of short-term rentals in Massanutten will be brought before the public yet again.

The Rockingham County Planning Commission is scheduled to continue a hearing it began in November about a zoning ordinance amendment, which, if approved by the Board of Supervisors, will allow the rentals and, in theory, end the debate.

The hearing is tonight at 6:30 at the County Administration Building on East Gay Street.

After taking two hours of testimony during a Nov. 4 hearing, the commission voted to postpone any action on determining the role of the Massanutten Property Owners Association, and enforcing the association's rules and regulations.

"For the sanity of everyone, I think it's time to be over," said Sherrill Glanzer, who owns two homes in Greenview Hills, one of which she rents out. "This is where we were three years ago: both sides arguing the same things and then nothing changing."

Background

The short-term rental issue has been festering at Massanutten since May 2006.

That's when resident Gene Hauze complained to county officials about Eric and Kimberly Pisk and Anthony Christian Iudica, who rent out two Massanutten homes on a short-term basis. Hauze questioned whether the county zoning code permitted such rentals.

Hauze complained about capacity violations, loud noise, parking issues and public drunkenness related to the rentals.

At first, zoning officials ruled in Hauze's favor, saying that short-term rentals were prohibited under the county zoning ordinance.

The Pisks and Iudica appealed the county's decision to Rockingham County Circuit Court. Rockingham County, however, decided not to defend its ruling in court after the Virginia Supreme Court ruled in favor of short-term rentals in a similar case in Bedford County.

But it didn't stop there.

With the county's case dropped, some Massanutten residents, including Hauze, took up the issue and filed lawsuits against their neighbors in hopes of convincing a judge that the community's covenants prohibit "vacation rentals." That case was later dismissed.

The issue resurfaced in January 2008, when J.C. Powell of 137 Player Court filed a complaint with Diana Stultz, the county zoning administrator, against Michael Chelst, of Bethesda, Md. Powell claimed that Chelst, who owned four properties in the neighborhood, was operating a boardinghouse and therefore using the home for commercial purposes, a no-no in the residential neighborhood.

But in February 2008, Stultz determined that Chelst was renting his home within the guidelines for residential use.

Powell appealed but the county's Board of Zoning Appeals upheld Stultz's decision.

November

The issue rested until November, when the county decided to amend the code to allow the rentals and "clear up questions" regarding the matter.

"This is a resort community and it's appropriate to allow short-term rentals to happen there," Stultz said. "We just want to put some closure to the issue."

At that meeting, the argument was the same as it's always been.

Supporters of the amendment, who own and rent property on the mountain, told the commission they were responsible renters whose tenants rarely, if ever, caused problems.

And opponents voiced the same concerns about noise, traffic and safety as before.

"We have a petition with 600 signatures against [the amendment]," Hauze said Monday. "I think it's clear what the citizens here want."

Glanzer said her neighbors are now suing her for renting her home, although no court date has been set. She said she's just "ready for it all to be over."

"This messy thing has disenfranchised my experience with living in Massanutten," she said. "It's just a mess and it needs to be done."

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