



## CITIZENS' ASSOCIATION NEWSLETTER

September 2006

*Published by the Carderock Springs Citizens Association:*

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| <i>Malcolm Stevenson</i>               | <i>President</i>                 |
| <i>Malcolm Head</i>                    | <i>First Vice President</i>      |
| <i>Carl Goodman</i>                    | <i>Second Vice President</i>     |
| <i>Phil Rider</i>                      | <i>Secretary</i>                 |
| <i>Christine Uzzell</i>                | <i>Treasurer</i>                 |
| <i>Newsletter Editor:</i>              | <i>Noëlle F. Lewis</i>           |
| <i>Architectural Review Committee:</i> | <i>Steve Kunin,</i>              |
| <i>Doug Soe-Lin</i>                    |                                  |
| <i>Design Guidelines:</i>              | <i>Steve Kunin, Doug Soe-Lin</i> |

*Residents of Carderock Springs and surrounding areas may join the Citizens Association for annual dues of \$30 for a membership year ending December 31, 2006. Dues and family information for the Directory may be mailed to the Association at P.O. Box 237, Cabin John, MD 20818-0237. Our Association represents the Carderock Springs community, and implements its land covenants.*

# Carderock Homeowner Sues Association Over Building Plans

As some of you know, the Carderock Springs Citizens' Association has been sued by Patrick Bogart and Ben Kurtz, the owners of 8209 Stone Trail Drive, in a case involving the application of our neighborhood covenants to modifications of homes. Messrs. Bogart and Kurtz seek a ruling that our neighborhood's covenants are invalid and damages from the Association in the amount of \$500,000. This action stems from the rejection of the owners' proposed modification of 8209 Stone Trail Drive by the Association's Architectural Review Committee (ARC).

This litigation was initiated by the homeowners. The Association has retained counsel to represent it and will vigorously defend the

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## Carderock Springs Citizens' Association Fall Meeting

Sunday, October 29, 2006

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community's interests in this case.

The Association and its officers and directors have been advised by counsel not to discuss the merits of the case. The complaint by Messrs. Bogart and Kurtz may be found on the Carderock Springs Swim and Tennis Club at [www.carderockclub.org](http://www.carderockclub.org) and clicking on the link for the CS Citizens Association. The case number is 273518-V, and filings can be secured from the Montgomery County Circuit Court.

In the latter regard, as we discussed at our annual meeting in April of this year, litigation can be expensive. We may well be soliciting contributions from the community to prosecute this case. Since the homeowners seek to invalidate the covenants, defense of this case is critical to their preservation. Among other things, if Messrs. Kurtz and Bogart prevail, the Association through its ARC might no longer be able to control modifications of home sites as it has done since the community was built.

In addition, the Association would also like to encourage homeowners who see construction on home sites to contact the ARC if

they have doubts about whether ARC approval has been secured by the homeowner.

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## **CSCA Fall Meeting/Wine & Cheese Social**

**Sunday, October 29, 2006**

**6:30-9:00 at the Swim Club**

Please join your neighbors and fellow Carderock Springs Citizens' Association members for our fall Association meeting on Sunday, October 29, starting at 6:30 pm at the swim and tennis club. We will start the meeting with an informal "wine and cheese" social. Our formal meeting will begin at 7:00 pm. There will be reports on Association activities and other important issues facing our community.

This is a wonderful opportunity to mingle with old friends and neighbors, meet and welcome the many new members of the Carderock community, and to chat with your CSCA board members: Malcolm Stevenson, Malcolm Head, Phil Rider, Christine Uzzell, and Carl Goodman.

**PLEASE SAVE THE DATE  
AND JOIN US!**