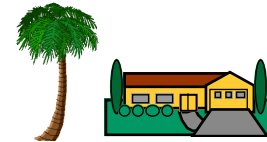




## Cypress Isles News



The official newsletter of the Cypress Isles Homeowners Association  
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### **Gating Cypress Isles? Don't Fence Me In!**

*Converting Cypress Isles into a gated community would be very difficult, expensive, and unrewarding*

*Dennis Horazak, Research Nerd*

In the wake of recent burglaries one homeowner thinks individuals should not have to take on the burden of protecting personal belongs, but that the solution lies with gating the community; and believes that the board should review the budget and make this a top priority.

If only it were as simple as the board reviewing our modest budget, which is a tiny fraction of the amount of funds it would take to gate Cypress Isles. More about that later in this article.

Perhaps others feel the same way, so hopefully this article will answer any burning questions y'all might have.

#### ***Gating doesn't prevent most crimes***

Gated communities seem to provide a feeling of increased security by separating "us" from "them." However, data collected over two decades indicate that they do not perform as advertised.

Security expert Jordan Frankel (2016) writes about gated neighborhoods, "whether or not they are safer than properties without fencing continues to be debated." But much of the debate seems to be between developers selling the concept and researchers checking the results. For example, in their study "Putting up the Gates" (1997), Blakely and Snyder "found no firm evidence of any general permanent reductions of crime in fully gated communities or in the barricaded streets of the Security Zone."

Gating a community does not guarantee a crime-free neighborhood and gives a false sense of security. The bad guys will figure out how to get around the barriers and enter a gated community. An article in the *Wall Street Journal* (Fletcher, 2013) concluded "numerous studies over the years have shown that security in gated communities is more a matter of perception than reality." The WSJ survey found that rates of burglaries and stolen cars were the same in gated and un-gated communities.

*"... in 2005, the Orlando Sentinel looked at sheriff's reports over a four-year period on 1,400 Florida homes in both gated and ungated communities that were similar in price and location. The newspaper found nearly identical rates of burglaries and stolen cars in each. Only minor crimes, such as smash-and-grab thefts and vandalism, were lower in gated communities. Speeding was less of a problem, too, since cars had to slow at the entrances.*

*“The gates weren't much of a deterrent because they were often easy to get around or were left unlocked; and burglaries and thefts occurred even in communities where gates were manned. In some cases, access codes were widely known because residents regularly gave them to guests and workers who cut lawns, killed pests, walked dogs, cleaned houses and delivered pizza. Similarly, an analysis of national crime statistics done last year by University of Florida criminology student Nicholas Branich (2012) found that living in a gated community does not significantly influence a person's likelihood of victimization.”*

### ***Retro-gating is legally difficult***

Converting an open neighborhood into a gated neighborhood requires a challenging legal process. Richard Spears (2000) noted that gating an existing community requires either a 100-percent affirmative vote by the neighborhood or by “applying to the local jurisdiction for the creation of a Property Owners Safe Neighborhood Improvement District and getting subsequent approval from Florida's attorney general for an overall security plan, which would include certain “modifications of the right-of-way” that presumably could be construed to mean gates.”

Both of these processes are formidable:

*“[Former] Attorney General Bob Butterworth... required that all such plans must contain actual, verifiable statistics quantifying a high and increasing rate of criminal activity in the applicant neighborhood,” but in recent years “it has become even more difficult to establish the required proof of danger to residents in view of statistics showing a reduction in crime throughout the nation.*

*“At the same time, the possibility of achieving a 100 percent agreement to buy back the streets became a formidable objective. Surveys of residents in some communities resulted in returns of favorable reactions to the prospect of 3 to 1 or higher, but nowhere near 100 percent.”*

In the case of Cypress Isles, gating is not an option. Orange County nixed that idea back in 2007 when gating was a topic addressed by the Traffic Control Committee trying to slow down speeders and eliminate the cut-through traffic. Orange County considers Cypress Isles to be a connecting neighborhood that provides access streets to other neighborhoods.

Also, getting 100% of our residents to agree to buy the streets and maintain them in perpetuity has approximately 0% of happening.

### ***Gating is very expensive***

Even if gating were an option, it would be cost-prohibitive and a logistic nightmare to retrofit. There are four entrances -- Spring Island Way (front), Lakes Way, Crystal River Drive, and Spring Island Way (rear). Gated entrances need extra space for lines of cars to wait before going through the gates – especially during rush hours. Setting up vehicle buffer space at all four entrances would require significant alterations to the 8 or 12 homeowner properties at those entrances – alterations that the current owners would likely resist with expensive litigation. Buying those 8-12 properties outright would cost about \$300,000 apiece or \$2.4-3.6 million — a special assessment of \$17,000 to \$25,000 per homeowner! This does not include the costs of the gates themselves or the cost of more than two miles of 8-foot walls to protect the rest of Cypress Isles from access through the woods, estimated to cost about \$2 million or about \$15,000 per homeowner. For comparison, the current Cypress Isles annual budget is \$28,840, or \$206 per homeowner per year.

### **Other Problems with Gating**

The concerns listed below can be added to the major issues described above.

- Homeowners pay to maintain the roads.
- Homeowners pay to maintain gate hardware and software.
- Homeowners pay for trash collection.
- The end of recycle collection. Thatcher's Landing and The Crest each explored this option and concluded that it was prohibitively expensive, so neither neighborhood recycles.
- Inconvenience to residents, especially during rush hours. You think it's tough getting in and out of Cypress Isles now? Imagine the back-up of cars waiting for a gate to open to allow entrance from Lake Underhill to get in, and on Spring Island Way to get out!
- Inconvenience to visitors.
- No real protection against tailgating, the practice of following an authorized resident vehicle through the open gates before it closes. McGoey (2015) notes that "tailgating is common practice at all gated communities and the cause of some of the damage to the gate systems. Tailgating is most common during rush hours."
- If there are security guards, homeowners pay their salaries. Gated communities are considered private property, so police answer calls but do not patrol.
- Risk of cyber-penetration. An Internet article called "Hacking into Gated Communities" by Murder Mouse <http://www.scribd.com/doc/3323089/Hacking-into-Gated-Communities> gives detailed instructions for defeating various electronic (keypad) gate systems including Door King, AAS, AeGIS, Elite, Linear, and Multicode.
- Increased legal exposure. City-Data.com (2016) mentions another risk to members of a gated community. "Your HOA, and ultimately you as a member of the HOA, are liable for any injuries and deaths on those streets. The big pockets of the city coffers will not be available to pay for the injury. Further, if some creative lawyer can attach some quality of the roadway to the injury or death of his client, big \$\$\$ come to mind. Your HOA insurance policy, and ultimately you, will be paying for the deferred maintenance that created the pothole in the street."

In summary, gating a community has few advantages and many disadvantages, and converting an existing neighborhood to a gated neighborhood has additional legal obstacles, so gating is not a good idea for Cypress Isles.

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