



ZONING BOARD OF ADJUSTMENT

**Meeting Agenda
Tuesday, May 19, 2026
5:00 PM**

**City Council Chambers
1250 SW District Drive, Second Floor, Ankeny, Iowa**

Matt Ott, Chair
Jeffrey Baxter, Vice Chair

Nichole Sungren

Eric Strom

Brett Walker

Zoning Board of Adjustment regular meetings are held at 5:00 p.m. on the first and third Tuesday of each month, following the Monday City Council meetings. All Board of Adjustment meetings are open to the public. Assistive Listening Devices (ALD) are available for persons with impaired hearing.

CALL TO ORDER

A. ROLL CALL:

B. AMENDMENTS TO AGENDA:

C. MINUTES:

- 1. Minutes of the May 5, 2026, regular meeting.

Consider MOTION to approve and accept the May 5th, 2026 minutes with/without amendments.

D. COMMUNICATIONS:

E. PUBLIC HEARINGS:

- 2. #26-06
Michael & Margaret Holland
for property located at
2326 NW Maple Street
LOT 27 GEORGETOWN PLAT 9
RE: Variance -- Fence

F. ADJOURNMENT:

Motion to adjourn.



Zoning Board of Adjustment

May 19, 2026

5:00 PM

Matt Ott, Chair

Jeffrey Baxter, Vice Chair

Nichole Sungren

Eric Strom

Brett Walker

ITEM NAME

Minutes of the May 5, 2026, regular meeting.

ORIGINATING DEPARTMENT

Community Development

Meeting Minutes
Zoning Board of Adjustment
Tuesday, May 5, 2026
Ankeny City Council Chambers
1250 SW District Drive, Second Floor, Ankeny, Iowa

CALL TO ORDER

Chair Matt Ott called the May 5, 2026 regular meeting of the Zoning Board of Adjustment to order at 5:01 p.m.

Chair Matt Ott read the Zoning Board of Adjustment Opening Statement.

ROLL CALL

Members present: Matt Ott, Jeff Baxter, Nichole Sungren, and Eric Strom. Absent: Brett Walker.
Staff: E. Jensen, E. Carstens, L. Hutzell, R. Kirschman, B. Morrissey, and A. Middleton.

AMENDMENTS TO THE AGENDA

There were no amendments to the agenda.

MINUTES OF THE April 21, 2026 REGULAR MEETING

Motion by J. Baxter to approve the meeting minutes as submitted. Second by N. Sungren. Motion carried 4-0.

COMMUNICATIONS / CORRESPONDENCE

Staff received two similar letters from Kimberly J. Spitzig of 609 SW Southlawn Circle, concerning the #26-05 request.

BUSINESS ITEMS:

There were no business items.

PUBLIC HEARINGS:

#26-05

Dawn Takekawa on behalf of Mike Bolquadsen, 3302 C, LLC
for property located at
426 S Ankeny Blvd
RE: Amendment to Parking Setback Requirement

Chair M.Ott opened the public hearing.

Adam Schoeppner, 1933 SW Magazine Rd., of Nilles Associates spoke on behalf of Dawn Takekawa and her business partner, Amanda Green. He explained that they are looking to move their law firm into the current residential home at 426 S Ankeny Blvd. They are looking to upgrade the property by making it ADA accessible and adding parking. Shoepner explained that code requires them to add 6 parking spots, but to accommodate staff and clients, they feel they will require 10 spots. They are requesting the elimination of the 5-foot parking setback requirement to both the north and south ends of the 426 S Ankeny Blvd property. The elimination of the setback requirements would allow them to add 10 parking spots, which they need for their six employees, with additional spots for clients. He explained that to the north, Dairy Queen has a fence that would abut the proposed parking stalls. To the south, a

residential property with a fence and some landscaping in poor condition would be directly next to the proposed parking. Schoeppner explained that Dawn and Amanda are determined to be good neighbors, and as such have reached out to neighboring property owners to discuss the area between the fence and the property at 426 S Ankeny Blvd. They were unsuccessful in their attempts to contact the neighbor to the south, but the City received correspondence from that neighbor.

M. Ott asked if they had discussed the south variance with the property owner at 609 SW Southlawn.

A. Schoeppner reiterates that Dawn Takekawa had reached out to the property owner via phone and email, but was unsuccessful in making contact.

M. Ott asked about the current fence, which is part of the 609 SW Southlawn Cir property.

Schoeppner explained that part of the fence has fallen down along S Ankeny Blvd.

M. Ott asked about existing plantings and plantings proposed in the submittal drawing.

A. Schoeppner confirmed that the circles in the drawing represent plantings, and explained that there are existing plantings in the area.

M. Ott asked for clarification about the agreement Takekawa is attempting to propose to the 609 SW Southlawn property owner.

D. Takekawa responded by explaining she attempted to get in touch with the property owner at 609 SW Southlawn Circle via email and phone. She explained that, regardless of whether the variance is approved, she and her business partner would like to invest in improving the area north of the fence, which is viewable from the 426 S Ankeny Blvd property. She illustrated the area in question, mentioning that the fence sits 5 feet south of the property line, and there is also gravel between the fence and property line. Extending the pavement would cover an area that currently has a gravel covering. She was seeking to enter into a maintenance agreement for the strip of land north of the south property owner's fence, allowing her to add the parking stalls and improve what she described as the poor condition of the fence and landscaping immediately behind it, but was not able to get in contact with the property owner.

L. Hutzell presented the staff report, explaining the request for a variance to Ankeny Municipal Code Chapter 194.01(6)(A) to allow the construction of parking on both the north and south sides of the property at 426 S. Ankeny Blvd without the required 5-foot parking setback. Hutzell explained the location of the property, located on the west side of South Ankeny Boulevard, just south of Southwest 3rd Street and northwest of Southeast Peterson Drive. She noted that City of Ankeny staff received two correspondences from Kimberly J. Spitzig, of 609 SW Southlawn Circle, in opposition to the variance request for the southern end of the property.

Hutzell stated that staff recommends approval of a variance to Ankeny Municipal Code Section 194.01(6)(A) to allow parking without a setback along the north property line at 426 S. Ankeny Blvd.

She explained that this recommendation is based on a determination the elimination of the required setback along the north property line is compatible with adjacent commercial development and would

not impair adequate supply of air and light, would not increase public danger of fire, or diminish property values and that this request is in harmony with the intended spirit and purpose of the Ankeny Municipal Code.

Furthermore, Hutzell explained that staff also recommends denial of the variance request to Ankeny Municipal Code Section 194.01(6)(A) to allow parking without a setback along the south property line at 426 S. Ankeny Blvd.

This is based on a determination that elimination of the required setback along the south property line is not compatible with adjacent zoning and the need for an appropriate transition between commercial and residential uses and therefore is not in harmony with the intended spirit and purpose of the Ankeny Municipal Code.

M. Ott asked for clarification that the code does not require 10 parking spots, rather, that it is the applicant's desire to have 10 spots.

L. Hutzell replied that it is her understanding that the requirement would be for 6 spots, but the applicant is proposing 10.

M. Ott asked if the City of Ankeny staff position would change if Takekawa was able to sign an agreement with the property owner at 609 SW Southlawn Circle to effectively screen the parking from the south property line.

E. Jensen responded that if there were a legal agreement in place, staff's recommendation may be different.

E. Carstens further clarified that the applicant's submittal is not a full site plan, and it has not been reviewed to the standards of a full site plan. Some of the spots depicted in the applicant's submittal drawing may not work.

J. Baxter asked if the proposed concrete is aligned with the utility pole depicted in one of the exhibits. He asked how far the proposed concrete would extend from the current driveway.

E. Jensen replied that it likely would be in a similar position to where the pole is in the exhibit.

J. Baxter asked if the utility pole in the exhibit is on the 426 S Ankeny Blvd property.

A. Schoeppner responded that the wooden lath in the exhibit depicts the corner of the 426 S Ankeny Blvd. property.

M. Ott asked if the applicant has considered reaching out to adjacent property owners to agree on a parking easement.

D. Takekawa responded that she did reach out to neighboring property owners to work towards securing this approval, but also because she wants to be a good neighbor regardless of the outcome tonight. She asked City of Ankeny staff if an agreement would change their position on the south variance, and was told it would not impact their position, so she did not attempt in-person contact with the adjacent property owners ahead of the meeting. She did reach out via email and phone.

E. Jensen responded that City of Ankeny staff may reconsider their position in the event there was a legal written agreement between the property owners and the applicant.

D. Takekawa explained that a written legal agreement is what she hopes to achieve with the property owner.

Adam Clark, property owner at 607 SW Southlawn Cir., spoke on behalf of himself and Kimberly J. Spitzig, the property owner of 609 SW Southlawn Circle, both properties being directly to the south of the requested southern parking setback variance. He said that the current fence and landscaping in question, part of the 609 SW Southlawn Circle property, were both in good condition but had been damaged as part of the recent road construction on S Ankeny Blvd. He explained that he and K. Spitzig are both in opposition to the requested southern variance. He further explained that his concern regarding the variance is that another business may take over the property and cause greater difficulties than they might have with the proposed law office.

M. Ott asked what A. Clark's concern is with the proximity of parking immediately adjacent, since his property is next to the proposed variance.

A. Clark replied that he is concerned about the noise factor.

M. Ott asked for a response to the 609 SW Southlawn Circle property owner's written assertion that she did not receive timely notice of the hearing.

L. Hutzell confirmed that the property owners were contacted in advance of the meeting in line with City of Ankeny rules for public notices, which require notification at least 7 days prior to the meeting. This expectation was met.

Motion by M. Ott to close the public hearing, receive and file documents. Second by J. Baxter. All voted aye. Motion carried 4 – 0.

Board Action on Filing #26-05 for property located at 426 S Ankeny Blvd

Motion by J. Baxter that the Zoning Board of Adjustment approve a Variance to Ankeny Municipal Code Section 194.01(6)(A) to allow parking without a setback along the north property line at 426 S. Ankeny Blvd. and denying a variance to Ankeny Municipal Code Section 194.01(6)(A) to allow parking without a setback along the south property line at 426 S. Ankeny Blvd. Second by M. Ott. Motion carried 4-0.

ADJOURNMENT

1. Request for Closed Session under Code Section 21.5.1 (c)

Motion by M. Ott to go into Closed Session, pursuant to the provisions of Iowa Code Section 21.5.1, subparagraph (c) "To discuss strategy with counsel in matters that are presently in litigation or where litigation is imminent where its disclosure would be likely to prejudice or disadvantage the position of the governmental body in that litigation." Second by J. Baxter. All voted aye. Motion carried 4 – 0.

Chair Matt Ott, Vice Chair Jeff Baxter, Board Members Nichole Sungren and Eric Strom went into closed session with Attorney Tom Henderson at 5:41 p.m. and returned to the Council Chambers at 5:46 p.m. Chair Matt Ott reopened the public meeting. Baxter seconded. Motion carried 4-0.

M. Ott motioned to direct Attorney Tom Henderson to go forth in the manner as discussed in the closed session. J. Baxter seconded. Motion carried 4-0.

2. Motion to Adjourn

There being no further business, a motion was made by J. Baxter to adjourn the meeting. Second by M. Ott. Meeting adjourned at 5:47p.m.

Submitted by Alexa Middleton, Recording Secretary
Zoning Board of Adjustment



Zoning Board of Adjustment

May 19, 2026

5:00 PM

Matt Ott, Chair

Jeffrey Baxter, Vice Chair

Nichole Sungren

Eric Strom

Brett Walker

ITEM NAME

#26-06

Michael & Margaret Holland

for property located at

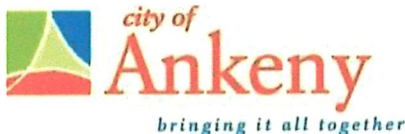
2326 NW Maple Street

LOT 27 GEORGETOWN PLAT 9

RE: Variance -- Fence

ORIGINATING DEPARTMENT

Community Development



APPLICATION FOR APPEAL
ZONING BOARD OF ADJUSTMENT

RECEIVED
MAY 1 2026

CITY OF ANKENY

Applicant is: Property Owner Tenant Other _____

Applicant Michael & Margaret Holland

Address / Phone # 2326 NW Maple Street Ankeny 50023

E-mail mcholland7664@gmail.com

Property Owner Michael & Margaret Holland

Address / Phone # 2326 NW Maple Street Ankeny 50023

E-mail mcholland7664@gmail.com

(Owner must sign the application or submit a letter of authorization)

To the Members of the Board of Adjustment:

I hereby appeal from the decision of the Zoning Administrator rendered on _____ day of _____, 20____

Location (address) of the proposed variance 2326 NW Maple Street

Legal description (Plat & Lot #) Georgetown Plat 9, Lot 27

Zoning _____ Principal Use of property Single Family Residential Home

I request a variation from the current zoning requirement for:

- Front Yard Side Yard Rear Yard Fence Sign Parking Height
- Other _____

Ankeny Zoning Code Section # 191.14 191.05 which state(s) Front and side yards adjacent to the street shall not exceed 42 inches in height for all other materials; shall conform to principal building setback requirements.

I would propose the following in lieu of that required: 10 feet off of sidewalk for side yard and 48 inches in height for wooden privacy fence.

Attached hereto and made a part of this appeal, I submit the following:

- a) A statement indicating the reasons for my appeal.
- b) A drawing showing proposed variance requested.
- c) A letter of authorization from the owner or lessee, if applicable.

Complete submittals are required for review.

AFFIDAVIT

State of Iowa)ss
County of Polk)

I hereby deposit and say that all of the above statements and the statements contained in the papers submitted herewith are true.

Margaret Holland Margaret Holland
Print Name (Signature of Applicant)

Signed and sworn to before me, this
30 day of April, 2026.

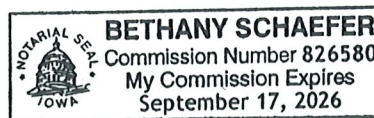
MICHAEL HOLLAND Michael Holland
Print Name (Signature of Property Owner)

Bethany Schaefer
(Notary Public)

--Notary seal--

Office Use Only

Paid <input type="checkbox"/> CC <input type="checkbox"/> Cash <input type="checkbox"/> Check # _____
Date received _____ Filing # _____
Scheduled Meeting Date _____



Members of Zoning Board of Adjustment:

We are requesting a variance on our corner lot side yard for a proposed 48 inch wooden privacy fence that would be located 10 feet off of the sidewalk due to safety, functionality of space, and consistency in aesthetic appearance in the immediate community.

Safety is a priority for our young grandchildren and their pets, as we are part time caregivers. A fence at 48 inches would provide privacy for the young children, reduce elopement possibilities for young children and pets, and reduce public pedestrian traffic through the back yard from the nearby community recreational space.

Functionality of space is defined with a fence in position, as it allows freedom of play for young children, space for pets to exercise, and reduces interactions from other pets or wildlife that are roaming unleashed/unrestrained.

Aesthetic appearance within the community blends a sight line consistency without inhibited visibility for pedestrian or vehicular traffic. It would not obstruct the vision clearance triangle at the specific intersection, as documented in the fence permit handout.

The adjacent property (2413 NW Cherry) has the same fence height (48 inches) and the setback (10 feet from sidewalk) that is being proposed.

The property across the street (2402 NW Maple) has the same fence height (48 inches) with a lesser setback (about 1 foot from the sidewalk).

The other corner property on our block (2305 NW Maple) has a 6 foot fence height on the side yard adjacent to the street.

We will be completing a survey in May 2026 to ensure property lines and public utilities easement on our property.

Michael Holland *Margaret Holland*

DATE: May 1, 2026

TO: City of Ankeny – Zoning Board of Adjustment

FROM: Michael & Margaret Holland

Handwritten signature in black ink, appearing to read "MH" followed by "MAR".

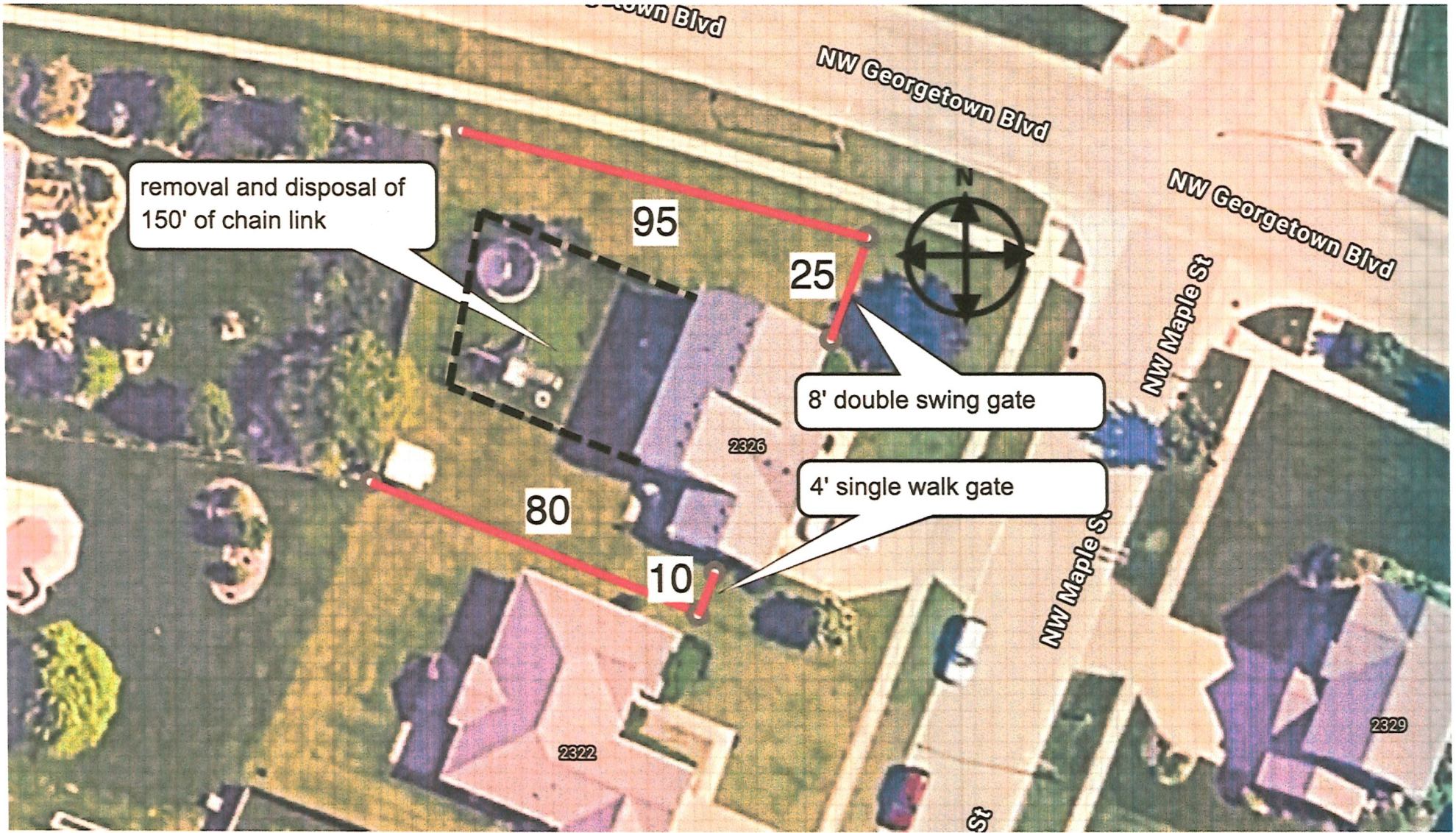
2326 NW Maple Street

Ankeny, Iowa 50023

RE: Fence Contractor

This is written authorization for Jacob Kenaston, Post to Post Fence, whom may provide necessary information regarding our application for a fence variance from the current fence zoning requirement.

Thank you for your consideration.



Location

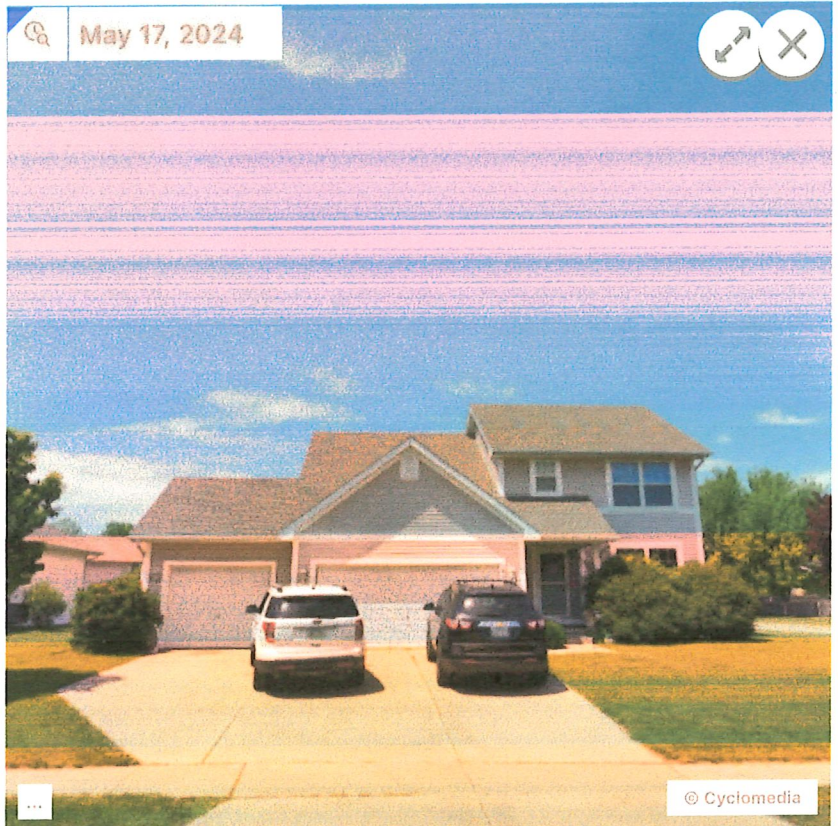
Address	2326 NW MAPLE ST				
City	ANKENY	Zip	50023	Jurisdiction	Ankeny
District/Parcel	181/00392-343-027	Geoparcels	8024-11-407-008	Status	Active
School	Ankeny	Nbhd/Pocket	AK01/D	Tax Authority Group	ANK-C-ANK-770003
Submarket	Ankeny	Appraiser	Scott Harvey, 515-286-3023		

Map and Current Photos - 1 Record

Use Cyclomedia Panorama -

Click on parcel to get a new listing

[Bigger Map](#) [County GIS](#) [Auditor](#)
[Google Map](#) [Pictometry](#)



[Historical Photos](#)

Ownership - 1 Record

Ownership	Num	Name	Recorded	Book/Page
Title Holder	1	THIRTY31 PARTNERS LLC	2021-12-20	18916/124

Legal Links For Subdivisions, Condominiums, and Plats of Survey

[GEORGETOWN PLAT 9](#)

Legal Description and Mailing Address

LOT 27 GEORGETOWN PLAT 9

THIRTY31 PARTNERS LLC
1545 BLUE SKY BLVD
HUXLEY, IA 50124-2201

Current Values

Type	Class	Kind	Land	Bldg	Total
2025 Value	Residential	Full	\$79,900	\$304,400	\$384,300

[Market Adjusted Cost Report](#)

Zoning - 1 Record



2402

NW PARKRIDGE DR

GEORGETOWN BLVD

NW GEORGETOWN BLVD

NW MAPLE ST

2401

NW GEORGETOWN BLVD

2413

2326

NW CHERRY ST

2409

2329

NW MAPLE ST

2405

2322

2325

2401

2318

2321

2314

NW GEORGETOWN BLVD

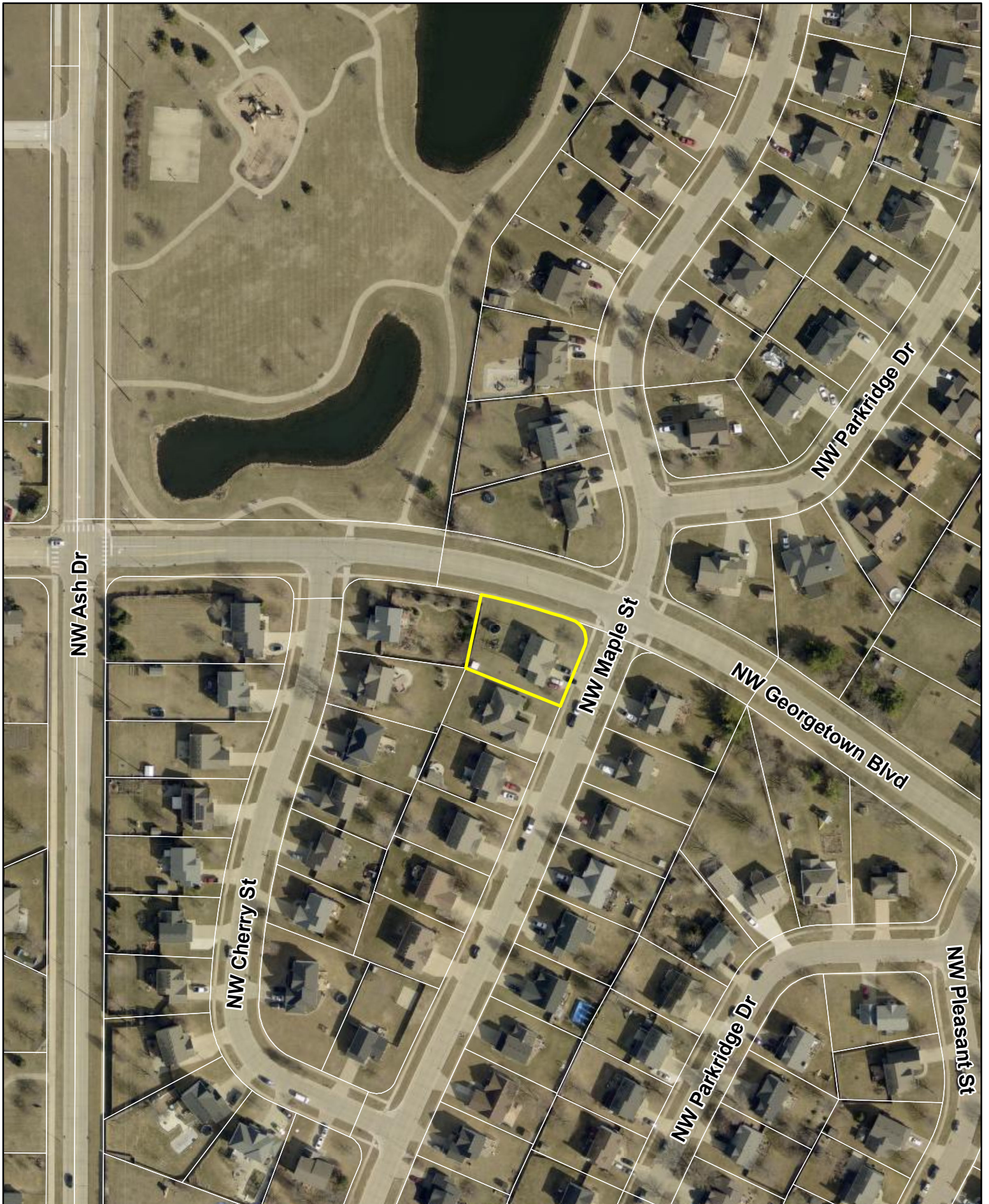
NW MAPLE ST

NW GEORGETOWN

2326

NW MAPLE ST

2322



N



1 inch = 150 feet

Date: 5/6/2026

Docket # 26-06
2326 NW Maple Street
Aerial Map



bringing it all together.

**CITY OF ANKENY
ZONING BOARD OF ADJUSTMENT
DEVELOPMENT SERVICES DEPARTMENT STAFF REPORT**

To: Members of the Zoning Board of Adjustment
From: Bryan Morrissey, Associate Planner
Filing #: 26-06 *ESC*
Meeting Date: May 19, 2026
Address: 2326 NW Maple Street

APPELLANT REQUEST

A Variance to Ankeny Municipal Code Section 191.14(2), that limits the height of fences located within front yard setbacks on corner lots to 42 inches, allowing a 48-inch-tall, wood fence to encroach approximately 21 feet into the required 30-foot front yard setback along the north property line adjacent to NW Georgetown Boulevard at 2326 NW Maple Street.

STAFF POSITION

Staff recommends the Zoning Board of Adjustment grant a variance to Ankeny Municipal Code Section 191.14(2), to allow a 48-inch-tall wood fence to encroach approximately 21 feet into the required 30-foot front yard setback along the north property line adjacent to NW Georgetown Boulevard at 2326 NW Maple Street.

The staff position is based on a determination that the decreased front yard setback from the resulting fence would not impair adequate supply of air and light, would not increase public danger of fire, or diminish property values; and that this request is in harmony with the intended spirit and purpose of the Ankeny Municipal Code.

PROJECT SUMMARY

The subject property is located at 2326 NW Maple Street, east of NW Ash Drive and north of NW 18th Street. The property is situated on a corner lot at the intersection of NW Georgetown Boulevard and NW Maple Street, and is zoned R-2, One-Family and Two-Family Residence District. The site is approximately 13,193 square feet in size and has two front yards along the north and east property lines since the property is a corner lot. The applicant is requesting a variance to allow a 48-inch-tall wood fence to be installed approximately 21 feet into the 30-foot front yard setback along NW Georgetown Boulevard. Ankeny Municipal Code Section 191.14(2) requires that fences taller than 42-inches in front yards comply with the setback requirements of the Code.

PROJECT REPORT

Criteria for Variance

197.01(4) Powers and Duties.

B. *To grant a variation in the regulations when a property owner can show ...that by reason of exceptional narrowness, shallowness, or shape of a specific piece of property or by reason of exceptional topographical conditions or other extraordinary or exceptional situation, the strict application of the terms of this title actually prohibits the use of this property in the district; and that the board is satisfied under the evidence before it that a literal enforcement of the provisions of this title would result in unnecessary hardship; provided, however, that all variations granted under this clause shall be in harmony with the intended spirit and purpose of this title.*

FINDINGS OF FACT

The subject property is legally described as Lot 27 of Georgetown Plat 9 and is addressed as 2326 NW Maple Street. The site is on a corner lot which means the property is subject to two front yards, one along the north property line adjacent to NW Georgetown Boulevard and the other along the east property line adjacent to NW Maple Street. The property is zoned R-2, One-Family and Two-Family Residence District, as are the neighboring properties to the east, south, and west.

The subject lot is approximately 13,193 square feet in size and contains a single-family detached home on the property that was built in 2003. In April of 2026, the applicant submitted a permit application to City staff detailing their plans to remove the existing chain-link fence on the property and to replace it with a 48-inch-tall wooden fence. Staff denied the permit application as Code Section 191.14(2) states that fences taller than 42-inches in front yards must comply with the setback regulations of the Code. In this case, the applicant proposed to place the 48-inch-tall fence 10 feet off the sidewalk adjacent to the north property line. Being that property lines are generally one-foot behind public sidewalks; this equates to the proposed fence encroaching approximately 21 feet into the 30-foot front yard setback along NW Georgetown Boulevard.

It is important to note that Staff is currently working on a Zoning Ordinance update that is expected to be approved and adopted by the late summer / early fall of 2026. Included in the update is a provision that allows fences up to 48-inches in height to be placed anywhere within a front yard setback, which is a moderate increase from the 42-inches that the Code currently allows. Theoretically, if the applicant were to wait until the Code update was in effect, a variance would not be needed to install the 48-inch-tall fence in the proposed location.

Ankeny Municipal Code Section 191.14(2) states, "Residential fences shall be permitted in any yard in residential zoning districts or residential use areas. Front and side yards adjacent to a street in residential zone districts shall be considered front yards and fences in front yards shall not exceed 48 inches in height if chain link and 42 inches in height for all other fence materials. On corner lots fences that exceed 48 inches in height if open chain link and 42 inches in height for all other fence materials shall conform to principal building setback requirements."

STAFF ANALYSIS

The following is City staff's analysis of the proposed Variance with the adopted criteria necessary for approving any Variance request.

197.01.4.B. To grant a variation in the regulations the Zoning Board of Adjustment shall find that:

- 1. This property was acquired in good faith.**

The applicant owns the subject property. The existing conditions of the lot were in place at the time that the applicant acquired the property; however, the Zoning Ordinance update that is anticipated to be adopted later this year will alter the conditions for fences on corner lots.

- 2. By reason of exceptional narrowness, shallowness, or shape of a specific piece of property or by reason of exceptional topographical conditions or other extraordinary or exceptional situation, the strict application of the terms of this Zoning Ordinance actually prohibits the use of this property in the district.**

The subject property is on a corner lot with frontage along NW Georgetown Boulevard and NW Maple Street, which subjects the property to having two front yards. Since front yard setbacks are larger than typical side yard setbacks, this inherently restricts the property to a greater degree compared to interior lots.

- 3. A literal enforcement of the provisions of this Zoning Ordinance would result in unnecessary hardship.**

The home being on a corner lot subjects the property to two front yards, meaning a large portion of the backyard is considered a front yard.

- 4. Such Variance shall be in harmony with the intended spirit and purpose of this Zoning Ordinance.**

Although the request does not comply with the current standards of the Ankeny Municipal Code, over the years staff has recognized that the language for fences on corner lots has been overly restrictive as is evident by the number of variances that have been approved for similar proposals. With that in mind, staff has set out to relax some of these conditions through the Zoning Ordinance update that will better align with the intended spirit of the Code as a whole. With that in mind, the current proposal would be allowed under the rules and regulations of the Zoning Ordinance update.

SUMMARY AND STAFF POSITION

When considering historical precedents, the Zoning Board of Adjustment has regularly approved these kinds of requests in the past. The most recent decision involving a similar case came in September of 2025, where a 6-foot-tall fence was allowed to encroach approximately 15-feet into the front yard setback on a corner lot.

As is standard procedure for these kinds of requests, property owners within 250' of the subject property were notified of the proposed variance by mail, and to date, staff has not received any correspondence either for or against the request.

Therefore, staff recommends the Zoning Board of Adjustment grant a variance to Ankeny Municipal Code Section 191.14(2), to allow a 48-inch-tall wood fence to encroach approximately 21 feet into the required 30-foot front yard setback along the north property line adjacent to NW Georgetown Boulevard at 2326 NW Maple Street.

The staff position is based on a determination that the decreased front yard setback from the resulting fence would not impair adequate supply of air and light, would not increase public danger of fire, or diminish property values; and that this request is in harmony with the intended spirit and purpose of the Ankeny Municipal Code.



Zoning Board of Adjustment

May 19, 2026

5:00 PM

Matt Ott, Chair

Jeffrey Baxter, Vice Chair

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Eric Strom

Brett Walker

ITEM NAME

Motion to adjourn.

ORIGINATING DEPARTMENT

Community Development