



CUYAHOGA FALLS
BOARD OF ZONING APPEALS
MINUTES

Planning Division
2310 Second Street
Cuyahoga Falls, Ohio 44221
330-971-8135

Wednesday, August 12, 2026

Board Members Present: Parker Derrig, Secretary
Jeff Sharpe
Adam Prtenjak
Wesley Johnston

Board Members Absent: Cyndi Kane, Chair
Amanda Kephart, Vice Chair
Ashley Brillhart

Community Dev. Dept: Adam Paul, Asst. Planning Dir.
Lori Jones, Administrative Specialist
Janet Ciotola, Law Director

Court Reporter: Laura Ware- Ware Reporting Services, LLC

Mr. Parker Derrig called the meeting to order at 6:05 pm, and explained the meeting process. He asked if there were any conflicts of interest, and with none, the Pledge of Allegiance was recited. He then asked that all members of the audience, wishing to speak, please stand, raise their right hand, and he swore them in.

Mr. Adam Prtenjak read the agenda into record.

New Business:

Mr. Adam Paul thanked everyone for attending the meeting, and thanked the applicant for their efforts. He then clarified that we were having some scheduling issues with a couple board members, and due to that we would only have 4 members present, and that they all must vote in the same manner to have a complete motion take place. He then explained how variances work, why they were sworn in, and the importance of keeping records. He explained that in order to speak, they will need to be sure they have signed in, then come speak at the microphone and state their name and address for the record. He also explained who all received the meeting materials and how it all gets reviewed. He then asked if the board had any questions, and with none, he proceeded to go into the explanation and reading of his staff report into record.

VAR-26-00024

Project: VAR-26-00024 Presenter: Adam Paul, Assistant Planning Director Report Date: 8-6-26 Meeting Date: 8-12-26	Use Variance – Applicant / Owner Lisa Scribner has applied for a variance from the requirements of the City of Cuyahoga Falls General Development Code at 1854 26 th St. The request is for a Use Variance to allow for the keeping of fowl, currently two (2) ducks and two (2) chickens, at this address. The property is 0.34 ac. and zoned R-3, Sub-Urban Density Residential. Table 1131-1: Zoning Districts and Uses, does not allow keeping of chicken and other fowl in an R-3 district.
Initiated or Requested by: ☐ Staff ☐ Council ☒ Applicant	☐ Information ☐ Direction ☒ Action
Code References:	CHAPTER 1115 DEFINITIONS – ANIMAL SERVICES, LARGE, TABLE 1131-1: ZONING DISTRICTS AND USES, 1113.16 VARIANCE D.1 USE VARIANCE

Mr. Adam Paul explained that approving a variance does not set a precedent. He stated that the city does allow chickens in RR areas and limits them in R-1 – Rural large lots, 1.5 acre lots. He then went over the staff report for the record.

Mr. Derrig thanked Mr. Paul and then closed the item to the city, and asked if the Board had any questions. With none, he then opened the item to the applicant.

Ms. Lisa Scribner – 1854 26th St. – explained her zoning situation, and stated that she feels that her property is unique. She stated that she met with the Mayor when she was reported to the city, and that he was not sure how to advise her. She stated that she has been part of a city school venture program since 2017. She spoke of the binder that she provided that has 56 pages, to include letters from many neighbors who could not attend the meeting, but approve of her keeping her animals. She stated that there is no place in the city like her neighborhood. She has been there for 20 years, and she has the support of 19 neighbors, who thought the birds were permitted. She feels this is a historical district of the city, and spoke of how the cemetery split off of the property 100 years ago, how the spring fills the pond, and it never freezes. She also spoke of an article that was written about her and Baab Run Farm, and they call the area the Baab Homestead. She spoke of the black swans, and ducks being in a safe environment. She stated that she would like the board members to come walk her property. She stated that some of her trees are over 100 years old. She discussed how she educates up to 60 kids at a time on her property, and does not disturb any neighbors while doing so. She then asked Mr. Paul to scroll through her photos to show everyone, and explained that you cannot see her birds, unless you are trespassing on her property. She then explained the wildlife that is all around her location. She addressed the suggestion of moving the chickens to the school, and stated that there is not anyone there to care for them 24/7/365. She stated that they birds teach the kids so much, and she explains things that happen there with the wildlife. She stated that teachers, neighbors, and others feel the land should be allowed to continue to do what it's been doing for 100's of years. She stated that property values have gone up, even while they have been here. She then stated that she is happy to answer any

questions, but she feels the birds are not the real issue, it is something else. She then asked for approval to continue to keep her creatures that have been there for over 8 years.

Mr. Derrig questioned if the Board any comments or questions for the applicant, with none, he closed the item to the applicant and opened it to the public.

Mr. Theodore Scribner – 1854 26th St. – husband and legal council for Lisa Scribner – thanked everyone that was there showing their support for his wife. He stated that he is proud of his family and what they do for the community and Richardson School. He stated that the letters speak to the value she offers. He stated that he hopes to reach a compromise, and not to change the laws, as he wants to work with the system to have their situation looked at for its uniqueness to find a compromise. He agreed that the neighborhood and standards need to be maintained, but he feels that there is not any discord, and that they have been doing this since 2017. Mr. Scribner spoke of chickens being at many locations near them, and stated that he was surprise to learn that this was an issue. He asked that private property rights be respected. He stated that he feels the zoning rules are over board. He thanked Mr. Paul for a thorough report, but stated that he has issue with some of the various things mentioned in Mr. Paul's report, all in one location. He then referenced "Duncan Factors" and a court case that it was derived from. He spoke of the 7 factors used as review criteria, and went over some of them. He stated that he understands that the variance, if approved, goes with the land, and that it has to be used for education purposes. He stated that they can add a fence, and that conditions can be met, if needed. He spoke of the suggestion to house the chickens at the school, and that not being a good solution. He then handed out a map to the board and showed his property on the map. He showed the lack of density, and how open it is near him, yet how they are a secluded and wooded lot, that you cannot see the back yard from the street. He spoke of factors that make it unique, besides the good his wife is doing for the schools and children, he stated it is a real learning experience. He stated that the city should allow these to be looked at on a case-by-case basis at each location. He also feels that the complaint that was made, was started over a tree dispute, and not the chickens. Had the chickens been causing noise, smell, vermin or anything, then he would understand, but they are not. The chicken complaint is retaliation over a tree dispute, and the complaint didn't happen from the neighbor when the chickens went in, it happened now, over the tree. He stated that the rest of the community supports his family, except for this one person, who used to be for them, until they wanted him to cut his tree.

Mr. Derrig asked the board if they had any questions, they had none. He then asked if there was anyone else for the applicant that wished to speak.

Mr. Scribner spoke of the Duncan Factors and went over them and how they pertained to his property. He feels there is a beneficial use. It is not substantial, as there are many birds already at the neighboring pond. The character of the neighborhood will not change, as there are already foul everywhere around. There will not be any adverse effect on government services because they do not use them for anything to do with the animals. He then stated that they purchased the property without knowledge of these restrictions. He spoke of feasibility other than a variance, such as putting them at the school, which is not workable. Finally, he stated that denying the variance would affect many. He then thanked everyone.

With no further questions or comments from the applicant, Mr. Derrig closed the item to the applicant, and opened it to the public.

Ms. Christine Teetor- 1670 Rexdale Dr. – stated that she has been a 3rd grade teacher for 20 years, and she loves having the kids go see the eggs and hold them. She stated they have Lisa come into class and explain how the eggs hatch, and the kids get to incubate the eggs. They

have a website that they use to watch them hatch, and Lisa explains what is happening to them. She talked about how the kids light up as they learn these things and how excited they are to watch and to touch the chicks. She feels it is a great education. She became emotional during her speaking about this, and apologized because it means so much to her. She then spoke of keeping the chickens at the school, and stated that nobody would be able to care for them like Lisa does. She stated that she hopes this is permitted to pass.

Mr. Ray Leiter – 1865 26th St. – stated that all of the neighbors on the street have a unique perspective of the city, and that he has lived in this city for 58 years, and that his current home was his grandparent's home. He spoke of Baab Run and it being the largest park in Cuyahoga Falls, and he stated that he knew the duck pond was there, and that it gave the area charm. He stated that one experiences things in their neighborhood that you do not get anywhere else in the city. He then went over the different places in the city that he lived and how different they were from 26th St. He spoke of the wildlife that is not in other parts of town, and how he knew it would be different here, with a rural aspect, and very unique, which is why he supports allowing the Scribner's to keep their chickens. He feels that since they back up to the pond, which is full of birds too, it should be permitted. He stated that he works from home, and he sees the kids coming and going from their home, and they have a long history of doing this, and he is fine with it. He stated that 50 birds would be too many, but 4 is okay. He stated that his wife was a teacher, and she dealt with having a farm to take care of at school, and what a burden it was for the teachers to have to go to school to care for things, so the city and the school should take advantage of Lisa's willingness to do this for them.

Mr. Kyle Lower – 1844 26th St. – stated that he lives next door and that the chickens are not universally accepted. He spoke of complaining about them being free ranging on his property, which caused the Scribner's to have to trespass onto his property to get them, and the chickens caused damage to his property while they were there, as well. He stated that he has seen them as far down the street as the cemetery. He stated that if the variance is granted, he will appeal it.

Ms. Tiffany Chrien – 2635 Broad Blvd. – (She was sworn in.) – She stated that she is a not a neighbor but she is a Richardson parent. She explained that the Scribner's are part of the community and that 3 of her children have gone on the 3rd grade field trip, and so has she, to the Scribner's home. She stated that some kids never see anything like this, ever. The kids learn so much about chickens, and being responsible. She spoke of 3 big things the kids "get to do" in 3rd grade, and they are Hale Farm, Biographies, and CHICKENS. It is one of the things that excites the kids most about going into 3rd grade. She stated that you cannot see or hear them from the road, and how it is a unique and different world when you are in her back yard. She stated it is a very special place, and she feel that it is important to allow this to pass.

With no further comments or questions from the public, Mr. Derrig closed the item to the public and opened it to the Board.

Discussion ensued among the Board members on how this application could move forward, and what they would like to see, what conditions would need to be met, and how the public comments impacted this.

Mr. Jeff Sharpe questioned if putting up privacy fence would stop the chickens from getting out of the yard, to which he was told yes.

Mr. Adam Prtenjak stated that they must go through the various steps listed in the sample motion to have full approval, and then questioned if there are any that the board would like to change or alter.

The board members agreed that the sample motion could be presented, as written.

Mr. Derrig then closed the item to the Board and requested a motion.

Mr. Paul stated that the applicant is requesting an opportunity to say something else.

Mr. Scribner stated that he and his wife are willing to do whatever is asked of them to obtain approval.

With no further comments or questions from the Board, Mr. Derrig closed the item for discussion, and requested a motion be made.

Mr. Derrig made the following **MOTION**:

Based on the findings identified in Project File VAR-26-00024, the City of Cuyahoga Falls Board of Zoning Appeals moves to *Approve* the variance request at 1854 26th St. for the keeping of two (2) ducks and two (2) chickens that will not alter the essential character of the locality. Approval is granted subject to the following conditions:

1. Obtain a permit and install code-complaint six-foot high privacy fencing to enclose the rear and side yards.
2. Obtain permit(s) for accessory structures based on the Residential Neighborhood Design standards for *Other Structures*, any building greater than 25 square feet shall meet requirements of *Table 1132-2* (setbacks) and shall meet commonly accepted building and engineering practices for its intended uses.
3. The number of domestic animals in this case is limited to no more than two (2) ducks and two (2) chickens, not to exceed four (4) total birds on site.
4. The use variance does not include any other keeping of animals or uses as defined by [Animal Services, Large](#).
5. Keeping of roosters for any duration is prohibited.

The **Motion** was **seconded** by Mr. Sharpe.

With no further discussion, **the Vote to APPROVE the motion: Yes – 4 and No – 0. The MOTION was APPROVED with a vote of 4-0.**

Minutes

July 22, 2026

With no comments or corrections, Mr. Prtenjak made a **Motion to APPROVE** the minutes from **July 22, 2026**, and the **motion** was **seconded** by Mr. Sharpe. **The Vote: Yes – 4, No-0. The motion was APPROVED with a vote of 4-0.**

Adjournment

With no further information to discuss, Mr. Derrig made a **MOTION to ADJOURN** the meeting, and the **motion** was **seconded** by Mr. Sharpe. The meeting adjourned at 7:09 pm.

MINUTES -- Cuyahoga Falls Board of Zoning Appeals

Minutes submitted by Lori Jones