



APPLICATION FOR APPEAL

Saint Paul City Council – Legislative Hearings

RECEIVED

310 City Hall, 15 W. Kellogg Blvd.

Saint Paul, Minnesota 55102

Telephone: (651) 266-8585

AUG 28 2017

DANIEL BOSTROM

We need the following to process your appeal:

- \$25 filing fee (non-refundable) (payable to the City of Saint Paul)
- (if cash: receipt number CASH #950374)
- Copy of the City-issued orders/letter being appealed
- Attachments you may wish to include
- This appeal form completed
- Walk-In ~~X~~OR Mail-In WARD 6
- for abatement orders only: Email OR Fax

HEARING DATE & TIME (provided by Legislative Hearing Office) Tuesday, <u>Sept 5, 2017</u>
Time <u>3pm</u>
Location of Hearing: Room 330 City Hall/Courthouse

Address Being Appealed:

Number & Street: 1242 Earl Street City: St. Paul State: Mn Zip: 55106

Appellant/Applicant: Chang Yung Email Chong chong yung@yahoo.com

Phone Numbers: Business _____ Residence _____ Cell 651-528-1528

Signature: *Chang Yung* Date: 8/28/017

Name of Owner (if other than Appellant): _____

Mailing Address if Not Appellant's: _____

Phone Numbers: Business _____ Residence _____ Cell _____

What Is Being Appealed and Why?

Attachments Are Acceptable

- Vacate Order/Condemnation/Revocation of Fire C of O
- Summary/Vehicle Abatement
- Fire C of O Deficiency List/Correction
- Code Enforcement Correction Notice
- Vacant Building Registration
- Other (Fence Variance, Code Compliance, etc.) Fence Variance

Long Term Care Consultation Community Support Plan

I. Personal Information:

Name: Bee Yang		Phone: 651-353-0327	
Address: 1242 Earl St.		City: St.Paul	State: MN Zip Code: 55106
Birth Date: 09/06/1975		PMI: 04532432	
Assessment Date: 12/02/2015	Date Services Began: 01/31/2016	Reassessment? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Reassessment Date: 11/2016
LTCC Case Manager: Bao Shupien	LTCC County: 62	CFR: 62	COR: 62

II. Outcomes Desired: (e.g. what the person wants to achieve or accomplish, how they want their life to be How will outcomes be measured? What outcomes are connected to waiver services?)

Bee was opened new to waiver on 1/31/16. Bee would like to receive CADI waiver services in order to live independently at home. Bee would like to receive PCA services to assist with ADLs and IADLs dependencies. Bee would like to receive respite in home service to assist with socialization and supervision. Bee would like to receive home modification for installation of alarms to doors and windows so that he does not wander or elope. Bee will also receive ARHMS service for behavior/mental health management. Bee has a responsible party and care giver. Bee sees his MHCM on a weekly basis.

Revisions/Date:

III. Person's Strengths: (e.g. current supports, what works, skills, talents, interests How will strengths be used to meet client needs?)

Bee's verbal capability is very limited. He can say 1-2 words and understand a little of what is ask of him. Bee will get angry when he is ask to complete tasks. Bee responds to verbal redirection and reminders occasionally. Bee likes to go outside for walks, but may wander off if no one is with him. Bee is very active and likes to stay up. He will go up and down the stairs or play with the doors. Bee's main supports are: Chang Yang (Responsible Party), Ka Zoua Xiong (primary care giver), Anna Swenker (MHCM), Alice Lehman (psychiatrist), Dr. Phua Xiong (PCP), and Bao Shupien (CADI CM).

PR6-505

Effective: 06/13/14

Dungarvin Minnesota – Case Management

Revisions/Date:

IV. Health and Safety Needs: (e.g. services/supports needed to keep the person healthy or safe. How will health and safety needs be met? Include identified needs even if the person prefers no intervention.)

Bee is a 40 year old Hmong man living with his brother, sister in law, and children. Bee's primary diagnosis is Schizophrenia and secondary is need for assistance with personal care & limitations of activities due to disability. Bee has high cholesterol and coloring of his lungs from smoking. Bee requires constant support and supervision from his family. Bee has very limited communication skills. Bee wanders away from home such as sneaking out the windows. Bee continues to see his primary doctor for health related needs and psychiatrist for mental health concerns. Bee also sees his MHCM on a weekly basis.

Bee requires a lot of support with most of his ADLs and IADLs. Bee needs assistance with personal hygiene, grooming, toileting, bathing, and dressing. Bee's PCA and family will assist with all ADLs. Bee needs support with eating. Bee cannot cook or plan meals. Bee relies on his family to prep the meals and set up the table. Bee's family will assist with cutting his food and make sure that he does not choke. Bee eats very messy and family will help with cleaning afterwards. Bee is able to transfer and walk on his own. Bee will wander off if he goes outside by himself. Bee is not aware of his surroundings, address, or phone number. Bee could get lost. He can also become aggressive when feeling agitated. Bee needs support on a daily basis. Bee does not understand what money is or how to complete grocery shopping, do laundry, clean his room, use transportation, set up his meds, or schedule medical appointments. Bee's family will assist with handling his finances, complete grocery shopping for him, do his laundry, and clean his room. Bee is dependent on his family for management of his health and medications. Bee's family will schedule and attend medical appointments. Bee is never to be left alone and a family member is always present at home.

In-home respite will ensure that Bee is safe when primary caregiver and responsible party are not home. Respite will assist Bee with socialization, supervision of safety, and making sure that he has food to eat.

Revisions/Date:

V. Person's Choices: (What does the person want help with? How? Supports requested?)

Bee wants to receive the following services: case management and paraprofessional to coordinate and monitor services, PCA to assist with ADLs and IADLs; home modification for installation of alarms, and respite in home service to assist with supervision and socialization.

Revisions/Date:

PR6-505

Effective: 06/13/14

Dungarvin Minnesota – Case Management

VI. LTCC/CM Recommendations: Services and supports recommended/offered by the consultant.

CM recommended that Bee receive the following CADI services for the waiver year:

Case management and paraprofessional

PCA

Supervision of PCA

Home modification

Respite in-home

Revisions/Date:

VII. Summary of Support Plan: What are the assessed needs? How will the person's preferences and strengths be incorporated into the plan? How will health and safety needs be met, including needs identified for which no intervention is preferred by the person? Services accepted/agreed to by the person. What waiver services will address which assessed needs? What change if any, has been made from the last assessment?

Bee is a 40 year old Hmong man living with his brother, sister in law, and children. Bee's primary diagnosis is Schizophrenia and secondary is need for assistance with personal care & limitations of activities due to disability. Bee has high cholesterol and coloring of his lungs from smoking. Bee requires constant support and supervision from his family. Bee has very limited communication skills. Bee wanders away from home such as sneaking out the windows. Bee continues to see his primary doctor for health related needs and psychiatrist for mental health concerns. Bee also sees his MHCM on a weekly basis. Bee is dependent in most of his ADLs and IADLs. Bee wants to receive the following services: case management and paraprofessional to coordinate and monitor services, PCA to assist with ADLs and IADLs; home modification for installation of alarms, and respite in home service to assist with supervision and socialization.

Revisions/Date:

PR6-505

Effective: 06/13/14

Dungarvin Minnesota – Case Management

IX. Choosing Community Long Term Care

You can choose to receive services in the community (your home) or in a nursing facility.
Were you offered this choice? Yes No

You can choose the provider you prefer for services. Did the person who helped you with this plan give you a list of providers, or tell you about different providers that you could choose for services in this plan? Yes No

Did you have the chance to help develop this plan, including the kinds of services you want to receive? Yes No

After reading the plan, do you agree with the services, and providers, as written? Yes No

Services accepted/agreed to by:

Person (Or Guardian) Signature <i>X P. + L. + W.</i>	Date <i>2/12/16</i>
Signature of Person Completing This Plan <i>Bao Shupien</i>	Date <i>2/12/16</i>
Support Plan was Mailed/Given On <i>2/22/16</i>	



CITY OF SAINT PAUL
Christopher B. Coleman, Mayor

375 Jackson Street, Suite 220
Saint Paul, Minnesota 55101-1806

Telephone: 651-266-8989
Facsimile: 651-266-9124
Web: www.stpaul.gov/dsi

07/01/2017

Owner
1242 Earl St.
Saint Paul, MN 55106

Re: Fence Variance Request

Dear Property owner,

A request for a fence variance approval has been requested by this office. The Building Official has three criteria in order to allow a variance to be approved:

Site Conditions
Terrain Conditions
Nuisance Animal Conditions

None of these conditions exist in your situation which means the Building Official is not allowed to approve the fence variance. However, I have consulted with the Legislative Hearing Officer and she is open to hear your appeal with possible approval for the variance from City Council.

Please contact the Legislative Hearing Officer at 651-266-8560 to discuss your situation.

Thank you,



Stephen Ubl
City of St. Paul Building
Official
Department of Safety & Inspections
375 Jackson St
Saint Paul, MN 55101
P: 651-266-9021
F: 651-266-9099

The Most Livable
City in America

stephen.ubl@ci.stpaul.mn.us



RECEIVED IN D.S.I.

DEPARTMENT OF SAFETY AND INSPECTIONS
Security & Enforcement Director



CITY OF SAINT PAUL
Christopher B. Coleman, Mayor JUN 23 2017

375 Jackson Street, Suite 220
Saint Paul, Minnesota 55101-1806

Telephone: 651-266-8900
Facsimile: 651-266-9112
Web: www.saintpaul.gov/ds

REQUEST FOR FENCE VARIANCE
\$70.00 PER FENCE VARIANCE
(Fees Eff: 01/01/2009)

Folder # 17-053571

ADDRESS OF VARIANCE: 1242 Earl Street Saint Paul, MN 55106 101 Mobility Twin Cities
OWNER ADDRESS: 1242 Earl Street CONTRACTOR ADDRESS: 2605 Fernbrook Ln Suite 1
CITY SA. Paul STATE Ma ZIP 55106 CITY Plymouth STATE Ma ZIP 55447
PHONE W/AREA CODE 651 - 353 - 0327 PHONE W/AREA CODE 763 - 222 - 0101
FAX W/AREA CODE - - - FAX W/AREA CODE 763 - 222 - 0102

FENCE DETAILS REQUIRED (A site plan indicating the location of the fence must be provided with this application)

Proposed length of fence (total lineal feet) Length of Fence: 674	Proposed height of fence Feet: 6.52 Inches: _____	Will the fence be erected on a corner lot? Yes _____ No <input checked="" type="checkbox"/>
Type of Fence: _____ Non-Obscuring Fence _____ Privacy Fence <input checked="" type="checkbox"/> Barbed Wire Fence	Fence Location: _____ Perimeter of Entire Yard <input checked="" type="checkbox"/> Front Yard Only _____ Rear or Side Yard Only	

Sec. 33.07. Fences--Requirements.

Variations. A variance of the fence height regulations may be granted if, after investigation by the building official, it is found that site, or terrain, or nuisance animal conditions warrant a waiver of the height restrictions.

The property on which the fence is proposed satisfies the variance criteria (underlined in preceding box) for the following reason(s):

site, or terrain, or nuisance animal conditions warrant a waiver of the height restrictions.

REASON FOR VARIANCE REQUEST: SEE ATTACHED LETTER
SITE CONDITIONS TERRAIN CONDITIONS NUISANCE ANIMAL CONDITIONS
Bee has a mental health condition this condition will lead to him to
leave the property. (Please see attached letter)
Fence variance is
needed

INSPECTOR'S OBSERVATIONS: SEE ATTACHED LETTER 6/29/2017

INSPECTOR'S NAME: M. Paul Phone: 651-266-9025

APPROVED Date: 9 Building Official: Steve Hill Phone: 651-266-9021

DENIED (This decision may be appealed to the legislative hearing officer by calling 651-266-8560.) Please see attached memo.

RETURN SIGNED RECOMMENDATION TO: _____ AT THE FRONT COUNTER. Steve

PAYMENT CAN BE MADE BY CREDIT CARD
ACCOUNT NUMBER MasterCard/Visa/Discovery/American Express EXPIRATION DATE

Request for fence variance at 1242 Earl St.

Inspector's observations: St. Paul's fence requirements (sec. 33.07)

(b) Height of fences. Fences in the front yard shall not exceed higher than 4 feet.

(c) Variance: The site of the fence does not meet the conditions to approve the height for front yard install.

The fence proposed is to be of Non-Obscuring type six foot in height.

The Fence request has been denied at this time.

I recommend that the owner of the property appeals this to the city council for approval.

Michael Palm

Sr. Building Inspector

651-266-9025

Following is a summary of the Home Access Assessment and recommendations completed at the home of Bee Yang. Bee's sister in law, Kazoua, was present for the assessment and provided information regarding his abilities and needs.

Bee's abilities and caregiving are impacted by:

- 41 years old
- 5' 4" tall, 150 pounds
- Dx: Developmentally delayed. Kazoua reported that he functions on the level of a three or four year old child.
- He does speak English and Hmong but only in one or two word sentences.
- Extremities
 - Strength and range of motion are within normal limits.
- Mobility
 - Balance within normal limits.

Bee elopes from his home when given the opportunity. If doors are locked, which they always are, he will attempt to go through a window. If Bee does leave the house independently he does not have an objective, he just walks. If Bee gets further than his block he does not understand where he is. Police have been called by the neighbors three times in recent past when they have seen him crawl out of windows in the home. The family is requesting environmental modifications to ensure that Bee is kept in a safe environment.

Existing conditions

Entrance

- Front porch
 - There are not handrails in place for Bee to hold onto when using the stairs.
 - The front porch door is kept locked with a padlock so that Bee does not elope. The porch is a three-season room that is almost all windows.
 - The family has added 2"x2" wooden rails/bars on the windows of the front porch (pictured). The rails deter him from trying to get out of the porch. He has tried to climb through them and successfully pulled parts of them off.
 - The front door separates the porch from the home. Bee is able to unlock this door.
- The back door is kept locked with a dead bolt that requires a key. Bee does not use this door.



Windows

- Windows in the home
 - Bee will attempt to open and elope from all of the windows on the main level. He will also try to open seven windows upstairs to access porch rooftops. Kazoua believes that he wants to get to the rooftops to stand on or jump from.

- There are an additional eight windows in bedrooms located on the upper level of the home that Bee will open and lean out of. Leaning out of the home is extremely dangerous and puts him at risk of falling from the second level.
- If a window is locked Bee will bang on it breaking the glass or the screen. He is at a high risk of being injured from broken glass. During the assessment I counted three windows with cracked glass and multiple other windows with torn screens.

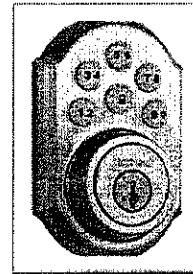
Exterior/yard (see attached drawing of property layout)

- The back yard is fenced in on two sides by neighbor's fences. The fences are both 6' tall and made of wood. Bee is able to walk from the back yard to the alley as there is not a fence.
- The front yard is not fenced in. Bee can walk from the back yard along either side of the house to the front of the property. Coincidentally, Bee eloped from the back yard just prior to our assessment. Kazoua found him one block away near Maryland Avenue.

Proposed Modifications: For maximum safety and accessibility it is recommended that the following modifications be implemented.

Entrance

- It is recommended to install handrails on the front stairs for Bee to use when entering the home.
- It is recommended to install a keypad operated lock on the interior side of the front door to prevent Bee from accessing the porch. Preventing Bee from accessing the porch is necessary to keep him from the room composed of mostly windows.



Windows

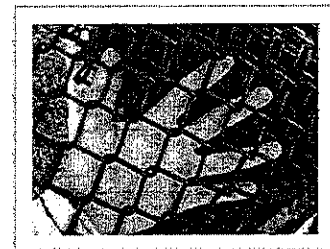
- It is recommended to install 3M safety series window film on all of the windows. 3M window film reinforces the glass making it more difficult to break the glass. If a window is broken the film holds the glass together to keep Bee safe.

Alarm

- It is recommended to install a SimpliSafe or similar brand alarm system on all windows and doors of the home to prevent Bee from leaving the home undetected. It notifies caregivers which specific door or window is being opened. ~~It is very similar to an ADT or Vivint alarm system but is not monitored by a third party.~~

Exterior/yard

- It is recommended to fence in the remaining portion of the property to deter Bee from eloping. As Bee has good upper and lower body strength it is recommended that the fencing is 6' tall and constructed of mini-mesh (pictured). Mini-mash is similar to the standard chain link but with smaller openings. The smaller openings make the fence harder to climb as people are not able to get their feet into the mesh for traction.



- It is recommended that gates be installed at the front sidewalk and back yard for access to the garage. It is recommended to install a keyless mechanical lock to allow caregivers and visitors to come and go freely while keeping Bee safe.
- The fence shall have a reinforced top rail so that it will not bend in the event that Bee hangs or otherwise puts additional weight on the fence.

Implementing these features to Bee's home will directly benefit his needs, abilities, caregiving and safety. It will provide adaptable space that will meet his current needs.

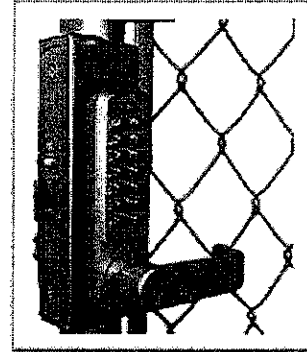
It is also recommended that GPS bracelet be purchas for Bee in the event that he does elope caregivers will be able to locate him.

This assessment and recommendation report was completed by:

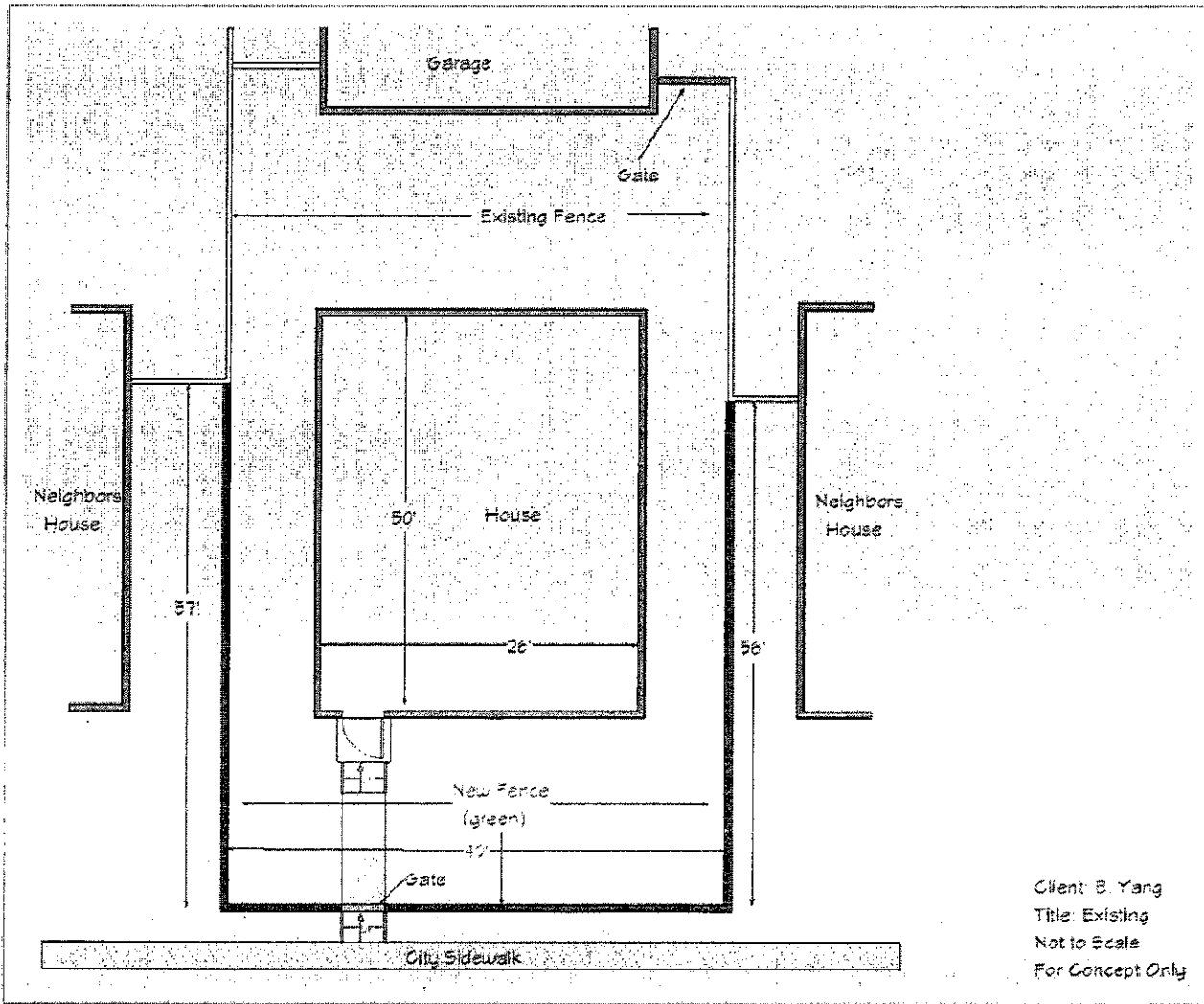
David L'Allier, *COTAL, CAPS, MN-AS*

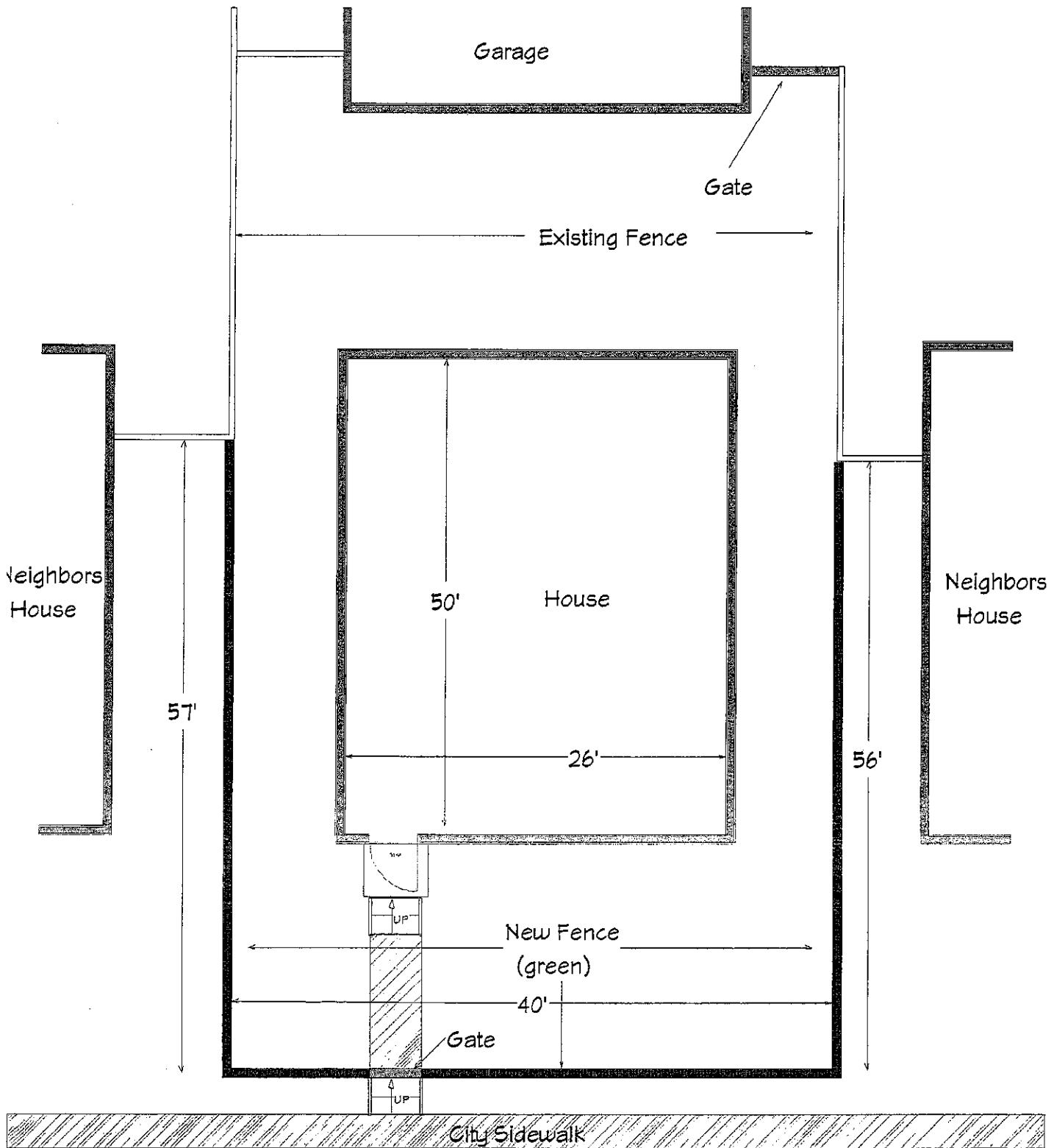
Access Solutions

Ph 952-495-6007



CONCEPT DRAWING OF EXISTING AND PROPOSED FENCE LAYOUT





Business Name: _____ Date Completed: _____

Contact Name: _____ Phone: _____

Please return the bid estimate to Bao Shupieni with Ramsey County

Please include the following information:

1. MN Contractors license number _____

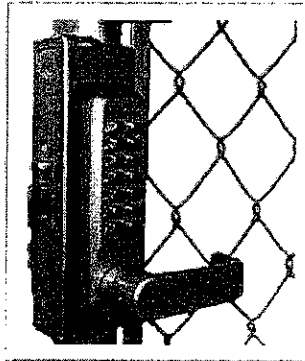
2. Insurance carrier and policy number _____

3. MN UMPI Provider number _____

Contractors are responsible for locating property lines and applying for permits

Notes:

<p>Accessible entrance</p> <ul style="list-style-type: none"> • Install graspable metal handrails (2) at front stairs • Install a dead bolt lock with keypad operation on interior side of door. Door must have key option for fire code requirements 	<p>\$ _____</p>
<p>Windows (house)</p> <ul style="list-style-type: none"> • Install 3M Safety Series window film on all windows on all windows of the main and upper level. 22 windows total <ul style="list-style-type: none"> ○ Include window film on full height of window 	<p>\$ _____</p>
<p>Windows (porch)</p> <ul style="list-style-type: none"> • Install 3M Safety Series window film on all windows <ul style="list-style-type: none"> ○ Include window film on full height of window 	<p>\$ _____</p>
<p>Alarm</p> <ul style="list-style-type: none"> • Install a SimpliSafe monitoring system at the following locations <ul style="list-style-type: none"> ○ Windows on upper and main level of the home ○ Front and back door 	<p>\$ _____</p>
<p>Exterior Fence (see attached drawing)</p> <ul style="list-style-type: none"> • Install 6' tall galvanized chain link fence, fence specifications include: <ul style="list-style-type: none"> ○ Chain link fence to be made of "<u>mini-mesh</u>" ○ Posts must be concreted in the ground ○ Include a reinforced top rail ○ Include Lockey Keyless Mechanical Lock or similar. Lockey product information: Part number 2985 as well as GB2985-Linx gate box (pictured) http://www.lockeyusa.com/2985.html ○ Locks are <u>only</u> required on the <u>interior</u> side of the fence • Gates/locks <ul style="list-style-type: none"> ○ 36" gate ate front sidewalk as well as back yard • Fence lengths <ul style="list-style-type: none"> ○ North side of house approximately 60' ○ South side of house approximately 60' ○ West side of house approximately 40' 	<p>\$ _____</p>
<p>General:</p> <ul style="list-style-type: none"> • All necessary permits • Waste Removal • Daily clean up 	<p>\$ _____</p>
<p style="text-align: right;">Total</p>	<p>\$ _____</p>



CONCEPT DRAWING OF EXISTING AND PROPOSED FENCE LAYOUT

