

STATE OF MINNESOTA
ACCESS REVIEW BOARD

In the Matter of the Application of
H2 Office Building,

FINAL DECISION
Dated: July 11, 2024

Application No. 24-05

This matter came on for hearing before the Access Review Board (“Board”) on July 8, 2024. The record closed at the conclusion of the hearing.

Board Chair Karen Gridley and Board member Jim Weaver were present in person, while Board members Marvin Forbragd, David Fenley, and Elise Wehrman.

The issue in this application is whether the application for a waiver of the State Building Code for the purpose of installing a stairway chairlift should be granted.

H2 Office Building (“H2”) is a two-story building in Hopkins, Minnesota. H2 requested a waiver of the State Building Code to install a stairway chairlift in an exterior stairway leading into the building and a stairway chairlift in a stairway between the main floor and basement.

The Board reviewed the application pursuant to the factors identified in Minn. Stat. § 471.471, subd. 3.

With regard to the first factor, the need for limited accessibility when a higher degree of accessibility is not required by state or federal law or rule, the Board noted that H2’s application indicated that the primary purpose for the chairlift is to increase the level of access for the public. The Board discussed that H2’s request did not pertain to a specific individual but rather was a request to accommodate customers from the general public. The Board expressed concerns about the limited public accessibility.

With regard to the second factor, the architectural feasibility of providing a greater degree of accessibility than would be provided by the proposed device or equipment and the cost of providing a greater degree of accessibility, H2’s application did not provide dimensions for the size of the building or spaces within the building. The Board noted that there appeared to be areas near each stairway which may allow for a vertical platform lift. H2 stated that it was a small nonprofit organization and that it did not have sufficient funds to provide a greater degree of accessibility but that it has received a grant for facilities improvements. The Board noted that H2 should have a licensed architect explore the architectural feasibility and cost of a platform lift.

With regard to the third factor, the total cost of the proposed device or equipment over its projected usable life, including installation, maintenance, and replacement costs, the Board determined that the estimated total cost of \$4,700 for the chairlift is justified.

With regard to the fourth factor, the reliability of the proposed device or equipment, the Board noted that the proposed chairlift is manufactured by Stannah, which is a reputable company. The chairlift model includes dual call and send remotes.

With regard to the fifth factor, the applicant's ability to comply with all recognized access and safety standards for installation and maintenance, the Board discussed that the chairlift device allowed the user to fold the chair out of the way when not in use for safety and to maintain the device in good condition.

With regard to the sixth factor, whether the proposed device or equipment can be operated and used without reducing or compromising minimum safety standards, the Board noted that the building has a smoke detector system, an alarm system, and a fire sprinkler system. H2's applications indicated there were two stairways. One stairway is 48 inches wide and the other stairway is 44 inches wide. The folded chair protrudes 14.5 inches. The Board determined that 33.5 inches and 29.5 inches of clear passing space on the stairways are not compliant clearances as allowed by IBC Chapter 10, Sections 1011.2 and 1014.8 where the occupant load is more than 50. The City of Hopkins building inspector provided a letter of support for the installation of the chairlift.

After considering these factors, Board member Forbragd made a motion to deny the application for a waiver from the building code to install a stairway chairlift within the H2 Office Building in Hopkins, Minnesota. Board member Weaver seconded the motion. The motion carried unanimously.



KAREN GRIDLEY, Chair
Access Review Board