

**STATE OF MINNESOTA**  
**ACCESS REVIEW BOARD**

In the Matter of the Application of  
Joy Lutheran Church,

FINAL DECISION  
Dated: December 9, 2021

Application No. 21-12

This matter came on for hearing before the Access Review Board (“Board”) on October 26, 2021. The hearing was held remotely via WebEx after Board Chair Karen Gridley determined that an in-person meeting was not practical or prudent after Governor Walz declared a peacetime emergency under chapter 12 of the Minnesota statutes due to COVID-19. The record closed at the conclusion of the hearing.

All members of the Board were present via WebEx.

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.

Joy Lutheran Church requested a waiver of the State Building Code in order to install a stairway chairlift at its church in Cambridge, Minnesota. The church is a two-story building with a main floor and a basement where bible studies are held. The church seeks to install a chairlift in the stairway leading to the 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 the church has older members in its congregation that have difficulty walking the stairs to get to bible study.

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, the Board noted that the church’s application indicated that it was not architectural feasible because there is insufficient space for an elevator or 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 purchase and installation cost for the chairlift of \$3,998 and annual maintenance cost of \$278 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.

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 applicant stated that there were two exits from the lower level but that it was unclear whether the exits are the two interior stairways or if there are two additional exits from the basement leading directly to the exterior of the church. Floor plans as required by the application form were not included with the application submission, so the exit locations could not be verified. The Board also noted that the width of the proposed stairway is 42 inches wide, but the application did not provide information pertaining to the amount of space that the folded chair would protrude into the stairway. However, the Board is familiar with the sizing of industry recognized chairlifts and is not aware of any chairlift on the market that will allow for a compliant clear passing space of the required 35 inches minimum between the folded chair when in the stairway and the facing wall of the stairway in order to be compliant without compromising minimum life safety egress requirements of IBC Chapter 10, Sections 1009.4 and 1012.8.

After considering these factors, Board member Fenley made a motion to deny the application for a waiver from the building code to install a stairway chairlift in the proposed stairway leading to the basement at Joy Lutheran Church in Cambridge, Minnesota. Board member Shokohzadeh seconded the motion. The motion carried unanimously.

  
KAREN GRIDLEY, Chair  
Access Review Board