

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

In the Matter of the Application of  
St. Philip's Lutheran Church,

FINAL DECISION  
Dated: January 10, 2023

Application No. 22-11

This matter came on for hearing before the Access Review Board ("Board") on November 15, 2022. The record closed at the conclusion of the hearing.

Board Chair Karen Gridley and Board members Bill Reinke and Marvin Forbragd were present in person, while Board member David Fenley was present via teleconference. Board member Maria Rodriguez-Dively was not present.

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.

St. Philip's Lutheran Church requested a waiver of the State Building Code in order to install a stairway chairlift at its church in Fridley, Minnesota. The church is a single-story building with a with choir loft area. The church seeks to install a chairlift in the stairway leading to the choir loft.

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's application indicates that it has two – three members who would use the chairlift twice a week.

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 indicates that it was not architectural feasible because there is insufficient space to install an elevator or platform lift and installation of a lift may impact the structural integrity of the loft.

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 \$9,430 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 Bruno, 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 stairway leading to the loft is 37 inches wide. The folded chair protrudes 15.125 inches. The Board determined that 21.875 inches of clear passing space on the proposed stairway is not a compliant clearance as allowed by IBC Chapter 10, Sections 1009.4 and 1012.8 where the occupant load is more than 50. The Board noted that the City of Fridley's Fire Inspector provided the church with a letter in support of the installation of the proposed chairlift on the condition that the church restricts occupants in the loft to a maximum of 49 people. The Board discussed the practical difficulty of enforcing the occupant limitation. The chairlift model includes dual call and send remotes on both landings to call the chair from upper or lower landings if the chair is not in the needed location. The building has a smoke detector system, an alarm system, and a fire sprinkler system.

After considering these factors, Board member Forbragd made a motion to deny the application for a waiver from the building code to install a straight rail chairlift in the stairway leading to the choir loft at St. Philip's Lutheran Church in Fridley, Minnesota due to insufficient clearance space in the stairway. Board member Fenley seconded the motion. The motion carried unanimously.

  
KAREN GRIDLEY, Chair  
Access Review Board