

STATE OF MINNESOTA
ACCESS REVIEW BOARD

In the Matter of the Application of
St. Mark Lutheran Church

FINAL DECISION
Dated: August 27, 2025

Application No. 25-15

This matter came on for hearing before the Access Review Board (“Board”) on August 21, 2025. The record closed at the conclusion of the hearing.

Board Chair Karen Gridley and Board members Jim Weaver and Elise Wehrman were present in person, while Board member Marvin Forbragd was present via teleconference. Board member David Fenley 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. Mark Lutheran Church requested a waiver of the State Building Code to install a stairway chairlift at its church in New Germany, Minnesota. The church is a two-story building with a split-level entrance lobby area and a basement for bible study and other functions. The church seeks to install a straight-rail 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’s application states that it has several members who have difficulty walking stairs.

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 the church has an elevator that connects the front lobby to the upper level but that there is insufficient space for the elevator to continue down to the basement and therefore, it is not architecturally feasible to install an elevator.

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 total estimated cost for the installation of the chairlift of \$4,500 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. The chairlift model includes dual call and send remotes, folding seat, arms and footrest.

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 proposed stairway leading to the basement is 51 inches wide at its narrowest point at the top of the landing, and the folded chair protrudes 13.5 inches. The Board determined that 37.5 inches of clear passing space a compliant clearance as allowed by IBC Chapter 10, Sections 1012.8 and 1009.4 where the occupant load is more than 50. The church has a smoke detector system and an alarm system but does not have a fire sprinkler system.

After considering these factors, Board member Forbragd made a motion to approve the application for a waiver from the building code to install a chairlift in the requested stairways at St. Mark Lutheran Church in New Germany, Minnesota. Board member Weaver seconded the motion. The motion carried unanimously.

The Board's approval is subject to the following conditions:

- 1) The stairway chairlifts shall comply with all applicable building and elevator code requirements. **Only licensed elevator contractors may install stairway chairlifts. Proper permits, inspections, and certificates for use shall be obtained by the licensed elevator contractor installing the lift.** Licensed elevator contractors may be found by searching the list of licensed stairway chairlift installers on the Board's website at:

<https://www.dli.mn.gov/about-department/boards-and-councils/access-review-board>

- 2) The stairway chairlift shall be maintained in the folded position when not in use.


KAREN GRIDLEY, Chair
Access Review Board