

STATE OF MINNESOTA
ACCESS REVIEW BOARD

In the Matter of the Application of
East Sveadahl Lutheran Church,

FINAL DECISION
Dated: November 14, 2023

Application No. 23-12

This matter came on for hearing before the Access Review Board (“Board”) on September 21, 2023. The record closed at the conclusion of the hearing.

Board Chair Karen Gridley and Board member Bill Reinke were present in person, while Board members Marvin Forbragd and David Fenley were present via teleconference. Board member Wehrman 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.

East Sveadahl Lutheran Church requested a waiver of the State Building Code to install a stairway chairlift at its church in St. James, Minnesota. The church is a three-story building with a stairway leading from main entry to a chapel area on the upper level and a stairway leading down to the social hall on the lower level. The church seeks to install two chairlifts: one in the stairway leading to the upper-level chapel area and one in the stairway leading to the lower-level social hall.

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 discussed that the church application indicated that the church’s primary interest was to accommodate non-member elderly or disabled individuals who may visit the church for special occasions. The Board noted that the church’s request did not pertain to a specific individual but rather was a request to accommodate the general public who may be attending large events at the church such as funerals or weddings.

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 church’s application stated that the age of the church along with its boulder foundation makes an elevator or platform lift infeasible. The Board noted, however, that the stairway leading to the chapel appeared to be large enough to accommodate a folding platform lift for a greater level of access.


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 a curved rail chairlift in the stairway leading to the chapel area of \$16,750 and \$4,000 for the straight rail chairlift leading to the social hall 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, a folding seat, armrests, and footrests.

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 proposed stairway leading to the chapel area is 84.75 inches wide. The folded curved rail chair protrudes 16 inches. The Board determined that 68.75 inches of clear passing space on the proposed stairway is 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 further noted that the proposed stairway leading to the social hall is 46 inches wide. The straight rail chair protrudes 13.5 inches. The Board determined that 32.5 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 building has a smoke detector system and an alarm system, but it does not have a fire sprinkler system.

After considering these factors, Board member Reinke made a motion to deny the application for a waiver from the building code to install the proposed chairlift in the stairway leading to the lower-level social hall and the proposed chairlift in the stairway leading to the upper-level chapel area at East Sveadahl Lutheran Church in St. James, Minnesota. Board member Fenley seconded the motion. The motion carried unanimously.



KAREN GRIDLEY, Chair
Access Review Board