

STATE OF MINNESOTA
ACCESS REVIEW BOARD

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

FINAL DECISION
Dated: October 7, 2024

Application No. 24-07

This matter came on for hearing before the Access Review Board (“Board”) on September 10, 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 were present via teleconference.

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. Lucas Lutheran Church requested a waiver of the State Building Code to install a stairway chairlift at its church in Cottonwood, Minnesota. The church is a one-story building with a split-level entry with stairways leading to the upper level and the basement. The church seeks to install a chairlift in both stairways.

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 members with mobility issues.

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 has an elevator, but it is nearly 30 years old and no longer in service. The application provides that the minimum cost of replacing the elevator is \$140,000, which is well above the church’s annual operating budget of \$60,000.

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 chairlifts of \$12,000 is justified.

With regard to the fourth factor, the reliability of the proposed device or equipment, the Board noted that the proposed chairlifts are 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 model includes dual call and send remotes, a folding seat, armrests, and footrests.

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 upper-level stairway is 84 inches wide, the proposed lower-level stairway is 62 inches wide, and the folded chair protrudes 13.5 inches. The Board determined that 70.5 inches of clear passing space on the upper-level stairway and 48.5 inches of clear passing space on the upper-level stairway are compliant clearances 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 Weaver made a motion to approve the application for a waiver from the building code to install two straight rail stairway chairlifts in the stairways leading to the upper level and to the basement at St. Lucas Lutheran Church in Cottonwood, Minnesota. Board member Fenley 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