

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

In the Matter of the Application of  
Warman Church  
3474 Hwy 65  
Mora, MN 55051

FINAL DECISION  
Dated: August 29, 2019

Application No. 19-06

This matter came on for hearing before the Access Review Board (“Board”) on July 8, 2019. The record closed at the conclusion of the hearing.

All members of the Board were present. Board Chair Karen Gridley and members Margot Imdieke Cross, Bill Reinke, and Audel Shokohzadeh were present at the meeting in person, while member John Swanson was 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 chair lift should be granted.

Warman Church requested a waiver of the State Building Code in order to install a stairway chair lift at its church in Mora, Minnesota. The church is a split-level entry building. There are 2 exits with two stairways. The lower level contains the restrooms, fellowship hall and kitchen, and is the level they wish to serve with the proposed stairway chairlift.

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 3-5 of the congregation members have difficulty walking the stairs and that the lower level contains the restrooms, fellowship hall, and kitchen for the church. The Board noted that the church was built in 1951 before the building code required an elevator.

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, the Board noted that Warman Church’s application indicated that it is not architecturally feasible to install an elevator due to the old block wall structure and that the cost of providing a platform lift, elevator, or LULA was not justified given the shrinking congregation size. Currently the congregation has only 75 members. The Board discussed whether funds for an elevator could be raised over time noting

that St. Alexis congregation in West Union, Minnesota had only 65 members and was able to fundraise to install a 3-stop vertical 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 discussed that the estimated installation cost for the chairlift of \$2,200 is justified. The Board noted that the chairlift and its maintenance were being donated to the church.

With regard to the fourth factor, the reliability of the proposed device or equipment, the Board noted that the proposed chair lift is manufactured by a reputable company, Stannah.


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 chair lift 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 discussed that the Church has 2 stairways, one 50 inches wide and the other 40 inches wide. The folded chair protrudes 12.75 inches, excluding the width of the handrail. The Board noted that 37.25 inches of clear passing space on 50-inch-wide stairway is a compliant clearance as allowed by IBC Chapter 10, Section 1012.8. The Board discussed that the building has a smoke detector but does not have a fire sprinkler system.

After considering these factors, Board member Shokohzadeh made a motion that the application for a waiver from the building code is approved to install a stairway chairlift Warman Church in Mora, Minnesota, on the condition that the church fundraise to pursue installation of a more accessible lift with an increased level of access, such as a LULU or elevator, using the St. Alexis Church in West Union, Minnesota as an example. Board member Swanson made a friendly amendment to the motion to clarify that the stairway chairlift must only be installed in the front entry stairway; not the back-entry stairway. Board member Reinke seconded the motion. The motion carried unanimously.

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

- 1) The stairway chair lifts shall comply with the Minnesota Building Code and Minnesota Elevator Code requirements. Only licensed elevator contractors may install stairway chair lifts. 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 License Look Up at:  
<https://secure.doli.state.mn.us/lookup/licensing.aspx>
- 2) The stairway chair lift shall be maintained in the folded position when not in use.

  
KAREN GRIDLEY, Chair  
Access Review Board