

STATE OF MINNESOTA
ACCESS REVIEW BOARD

In the Matter of the Application of
Lutsen Evangelical Lutheran Church,

FINAL DECISION
Dated: February 2, 2020

Application No. 19-15

This matter came on for hearing before the Access Review Board (“Board”) on January 10, 2020. The record closed at the conclusion of the hearing.

All members of the Board were present. Board Chair Karen Gridley and members Bill Reinke and Audel Shokohzadeh were present at the meeting in person, while members John Swanson and Margot Imdieke Cross were present via teleconference.

Dennis Watt, Julie Watt, and Donald Fehr were present on behalf of Lutsen Evangelical Lutheran Church.

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.

Lutsen Evangelical Lutheran Church requested a waiver of the State Building Code in order to install a stairway chair lift at its church in Lutsen, Minnesota. The church has a split-level entry with a stairway leading up to the sanctuary and stairway leading down to the basement. The basement contains the restrooms, kitchen, and a multi-purpose space for gathering 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 noted that the church has 2-3 members who use walkers or canes for mobility and who would benefit from the installation of the stairway chairlift to the basement.

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 floor plans layouts provided by Lutsen Evangelical Lutheran Church indicate that there is no reasonable space for installing a 3-stop elevator or vertical platform lift to serve the entrance vestibule, the main level, and the basement. The Board noted that the building is constructed on ledge rock and that equipment providing a greater degree of access than a stairway chairlift could significantly impact current wall and floor structural components.

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, installation, and annual maintenance cost for the chairlift of \$10,000 is justified.

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 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 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 noted that the stairway in which the proposed chairlift would be installed is 60 inches wide and the chair in its folded position protrudes 12.75 inches. The Board determined that 47.25 inches of clear passing space on the 60-inch stairway is a compliant clearance as allowed by IBC Chapter 10, Sections 1009.4 and 1012.8. The chairlift model includes 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 and an alarm system but does not have a fire sprinkler system.

During the meeting, Lutsen Evangelical Lutheran Church requested to modify its application request to include a second stairway chairlift to access the sanctuary. The Board noted that the information provided in the church's application included sufficient photographs and dimensions to determine the width of the stairway leading to the sanctuary. The stairway leading to the sanctuary is also 60 inches wide. The Board determined that 47.25 inches of clear passing space on the 60-inch stairway leading to the sanctuary is a compliant clearance as allowed by IBC Chapter 10, Sections 1009.4 and 1012.8.

After considering these factors, Board member Shokohzadeh made a motion to approve the application for a waiver from the building code to install two separate stairway chairlifts, one chairlift for the stairway leading to the basement and one chairlift for the stairway leading to the sanctuary at Lutsen Evangelical Lutheran Church in Lutsen, Minnesota. Board member Swanson 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