

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

In the Matter of the Application of  
Bethlehem Lutheran Church

FINAL DECISION  
Dated: October 7, 2024

Application No. 24-08

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.

Bethlehem Lutheran Church requested a waiver of the State Building Code to install a stairway chairlift at its church in Anoka, Minnesota. The church is a split-level entry building with lobby at the entry-level, a basement, and an upper floor. The church seeks to install a chairlift in stairway leading to the upper level.

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 two employees 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 there is no common area available to install an elevator but that the floor plan and photos reveal that there is a vertical platform lift next to the front stairway. It appears architecturally feasible to provide a greater degree of access via the wheelchair chairlift.

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 a chairlift of \$5,200 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 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 stairway 39.75 inches wide and the folded chair protrudes 12.75 inches. The Board determined that 27 inches of clear passing space on the proposed stairway is not 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. The City of Two Harbors building official provided a letter of support for the installation of the proposed chairlift.

After considering these factors, Board member Fenley made a motion to deny the application for a waiver from the building code to install a straight rail stairway chairlift in the stairway in leading to the upper level at Bethlehem Lutheran Church in Anoka, Minnesota. Board member Forbragd seconded the motion. The motion carried unanimously.

The application for a waiver of the State Building Code to install a stairway chairlift leading to the upper level at Bethlehem Lutheran Church in Anoka, Minnesota is denied.

  
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KAREN GRIDLEY, Chair  
Access Review Board