

STATE OF MINNESOTA
ACCESS REVIEW BOARD

In the Matter of the Application of
Davison Residence

FINAL DECISION
Dated: June 2, 2025

Application No. 25-11

This matter came on for hearing before the Access Review Board (“Board”) on May 29, 2025. The record closed at the conclusion of the hearing.

Board Chair Karen Gridley and Jim Weaver were present in person, while Board member Marvin Forbragd was present via teleconference. Board members David Fenley and Elise Wehrman were not present.

David Davison appeared on behalf of the Davison Residence 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.

David Davison requested a waiver of the State Building Code to install a stairway chairlift at his residence in Edina, Minnesota. Davison and his wife live in a second-floor unit and seeks to temporarily install a chairlift in the stairway leading to their second-floor dwelling unit until the elevator is replaced at the end of June.

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 application indicates Mrs. Davison is not able to use the stairs due to a health condition.

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 application indicates that it was not architectural feasible to install a vertical lift without removing windows and obstructing the circulation pathway.

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 installation cost for the chairlift of \$1,250 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 Bruno, 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 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. The chairlift model includes remote to retrieve the chair and a swivel seat.

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 is 44 inches wide, and the folded chair protrudes 13 inches. The Board determined that 31 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 under 50 on each floor for this type of building. The building has a smoke detector system and an alarm system. The building does not have a fire sprinkler system. The Board noted that the applicant provided a letter of approval from the condominium board.

After considering these factors, Board member Forbragd made a motion to approve the application for a waiver from the building code to install a chairlift in the stairway leading to the Davison's second-floor dwelling unit in Edina, Minnesota. Board member Weaver 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.
- 3) The stairway chairlift shall be removed once the elevator is back in service.


KAREN GRIDLEY, Chair
Access Review Board