

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

In the Matter of the Application of  
Zion Lutheran Church,

AMENDED  
FINAL DECISION  
Dated: August 23, 2022

Application No. 22-09

This matter came on for hearing before the Access Review Board (“Board”) on July 7, 2022. The record closed at the conclusion of the hearing.

Board Chair Karen Gridley, Board member Bill Reinke, and Board David Fenley were present at the meeting in person, while Board member Audel Shokohzadeh was present via teleconference. Board member Marvin Forbragd was not present.

Julie Schwartz appeared via teleconference on behalf of Zion 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 chairlift should be granted.

Zion Lutheran Church requested a waiver of the State Building Code in order to install a stairway chairlift at its church in Green Isle, Minnesota. The church is a split-level building with a sanctuary up a short flight of stairs from the entry and a fellowship hall, a kitchen, and restrooms down a flight of stairs from the entry. The church seeks to install two chairlifts, one chairlift leading to the sanctuary and another chairlift leading to the fellowship hall, kitchen, and restrooms.

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 indicates that the chairlifts would increase accessibility to the sanctuary and fellowship hall for a few people on a weekly basis.

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 indicated that it was not architectural feasible because there is insufficient room for a platform lift or elevator within the existing structure and the church is financially limited.

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 and installation cost for both the chairlifts of \$10,000 with an annual maintenance cost of \$200 – \$400 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 noted that the church intends to have Arrow Lifts maintain the equipment.

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 leading to the sanctuary is 104 inches wide and the stairway leading to the fellowship hall is 50 inches wide. The folded chairs protrude 13.5 inches. The Board determined that 90.5 inches of clear passing space on the proposed stairway leading to the sanctuary and that 36.5 inches of clear passing space on the proposed stairway leading to the fellowship hall are compliant clearances as allowed by IBC Chapter 10, Sections 1009.4 and 1012.8. The church's application further indicates there is a second exit from the basement through the kitchen. The building does not have a smoke detector system, an alarm system, or a fire sprinkler system. The Board noted that the Green Isle Fire Chief provided a letter in support of the installation of the proposed chairlifts.

After considering these factors, Board member Fenley made a motion to approve the application for a waiver from the building code to install a straight rail chairlift in the stairway leading to the sanctuary and a straight rail chairlift leading to the fellowship hall at Zion Lutheran Church in Green Isle, Minnesota. Board member Reinke seconded the motion. The motion carried unanimously.

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

- 1) The stairway chairlifts shall comply with the Minnesota Building Code and Minnesota 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 License Look Up at:

<https://secure.doli.state.mn.us/lookup/licensing.aspx>

- 2) The stairway chairlift shall be maintained in the folded position when not in use.

  
KAREN GRIDLEY, Chair  
Access Review Board