

CITY OF MUSKEGON

HOUSING BOARD OF APPEALS

MEETING

April 2, 2026 @ 5:30 PM
CITY OF MUSKEGON, ROOM 107
933 TERRACE STREET, MUSKEGON, MI 49440

MINUTES

CALL TO ORDER

The Housing Board of Appeals meeting was called to order at about 5:30 PM.

ROLL CALL

Present: Johna Willis, Kim Burr, Demario Phillips, Walt Kubanek, Ben Carson
Staff Present: Steve Stout, Kim Young, Gabbie Pulos, Director Kozal
Absent/Excused: Willie German, Jr., Kemmie Sargent

APPROVAL OF MINUTES

A. Approval of Minutes Public Safety

Motion by Johna Willis, second by Walt Kubanek, to approve the minutes of the October 2, 2025, Housing Board of Appeals meeting.

ROLL VOTE: Ayes: Kubanek, Carson, Willis, Burr, Phillips
Nays: None

MOTION PASSES

B. Approval of Minutes Public Safety

Motion by Walt Kubanek, second by Ben Carson, to approve the minutes of the February 5, 2026, Housing Board of Appeals meeting.

ROLL VOTE: Ayes: Phillips, Kubanek, Carson, Willis, Burr
Nays: None

MOTION PASSES

PUBLIC COMMENT

OLD BUSINESS

A. Case A - EN1901937 - 1784 Smith St. Public Safety

Property owner, Shields Della Mae Estate, was not present.

On March 19, 2019, the Muskegon Fire Department responded to a single-story residential structure on fire at 1784 Smith St. The Fire Crew arrived on scene to find flames out the window on the south side of the structure. There was heavy fire and smoke damage throughout the main floor structure, including the attic. There was also moderate water damage throughout the structure, including the basement, as a result of firefighters extinguishing the fire.

Steve Stout addressed the board and provided an update regarding the subject property. He stated that he is actively working with the homeowner and that permits have been obtained.

STAFF RECOMMENDATION: To table this item to the August 6, 2026, meeting to allow the property owner additional time to continue rehabilitation efforts and demonstrate measurable progress under the permits already obtained.

Motion by Walt Kubanek, second by Demario Phillips, to table this item to the August 6, 2026, meeting to allow the property owner additional time to continue rehabilitation efforts and demonstrate measurable progress under the permits already obtained.

**ROLL VOTE: Ayes: Kubanek, Carson, Willis, Burr, Phillips
Nays: None**

MOTION PASSES

B. Case B - EN1900277 - 835 W Forest Ave. Public Safety

Property owner, Jesus Padilla, was not present.

This case has been happening since 2017, when the address was initially flagged for work performed without a permit. Since then, various major construction items have been completed with little to no inspections on critical components such as the roof, siding, interior electrical systems, HVAC and plumbing. The owner has been navigating repeated stop-work notices,

ultimately leading to the case being presented to the Housing Board of Appeals.

In January and March of 2023, the home was brought before the City Commission, which referred it back to the Housing Board of Appeals. At that time, the owner took initiative by scheduling several required inspections and acquiring the necessary permits. The owners were granted time to complete specific items and call for final inspections. However, this call was never made and to date, no further inspections have occurred at this address.

The porch roof, which initially raised concerns, remains unfinished. The permits pulled in March of 2023 have all since expired without final inspections. Staff spoke with the owner in response to a notice posted in May 2025. At that time, extending the permits before fall was the requirement of the building department. This action was never taken.

Steve Stout addressed the board and provided an update regarding the subject property. He stated that he is trying to work with the homeowner and that permits have been obtained.

STAFF RECOMMENDATION: To table this item to the August 6, 2026, meeting to allow the property owner additional time to continue rehabilitation efforts and demonstrate measurable progress under the permits already obtained.

Motion by Demario Phillips, second by Walt Kubanek, to table this item to the August 6, 2026, meeting to allow the property owner additional time to continue rehabilitation efforts and demonstrate measurable progress under the permits already obtained.

**ROLL VOTE: Ayes: Willis, Burr, Phillips, Kubanek, Carson
Nays: None**

MOTION PASSES

C. Case C - EN2403907 - 185 W Laketon Ave. Public Safety
Property owner, 185 & 145 W Laketon Ave LLC, was not present.

The case was brought to the attention of the Dangerous Building Inspector in August 2024. The property had been under staff review as far back as 2006. The previous owner opened five permits, but failed to complete any of them for a final inspection. During this time, the property registered as vacant and went through multiple changes in ownership.

In September 2024, staff was contacted by a commercial builder who stated he had taken responsibility for the property and scheduled an inspection. At that

time, it was observed that the structure had multiple deficiencies qualifying it as a Dangerous Building. Most notably, the exterior had been covered only with house wrap for several years, far exceeding its intended maximum use of six months. The builder expressed an intention to take immediate action, stating his team was prepared to address the issues.

However, no progress was made as of August 2025. Staff issued and posted a Notice and Order, with no response received. A notice of hearing was sent in September 2025. Without action, there is a significant risk the building will not remain unoccupied if public access is gained.

Steve Stout addressed the board and provided an update regarding the subject property. He stated that he has been trying to work with the homeowner, but no permits have been obtained.

Staff discussed the desire to have the property owner present at the next Housing Board of Appeals meeting to facilitate discussion toward a resolution.

STAFF RECOMMENDATION: To table this item to the May 7, 2026, meeting to allow for the property owner's presence in order to facilitate discussion toward a resolution.

Motion by Ben Carson, second by Walt Kubanek, to table this item to the May 7, 2026 meeting to allow for the property owner's presence in order to facilitate discussion toward a resolution.

ROLL VOTE: Ayes: Burr, Phillips, Kubanek, Carson, Willis

Nays: None

MOTION PASSES

NEW BUSINESS

A. Case A - EN2204438 - 1300 Langeland Ave. Public Safety

Property owner, Bernard Brown, was not present.

The entire roof on the residence was removed several years ago. In 2022, the roofer passed away and the money for the roof was not returned. Scott Kiaunis had spoken to the owner, who claimed financial hardship. Scott advised him to talk to CNS for possible assistance. Scott last spoke to the owner in September 2023. There is no contact telephone number in the system.

As of March 17, 2026, there had been no permit pulled for the roof. The roof is rotting away and has had tarps on it for years. The tarps are also rotting away. There are exposed boards with nothing covering them.

Steve Stout addressed the board and provided an update regarding the subject property. He stated that he has tried several times to contact the owner with no success and no response.

Motion by Kim Burr, second by Demario Phillips, to declare 1300 Langeland Ave as unsafe, substandard, a public nuisance and that the property be demolished.

**ROLL VOTE: Ayes: Carson, Willis, Burr, Phillips, Kubanek
Nays: None**

MOTION PASSES

B. Case B - EN1901362 - 965 Scott St. Public Safety

Property owner, Diamonte Nesbary, was not present.

This is a 2-story, wooden structure home. The front porch is rotted and is falling apart. It appears to be falling in on itself. The home is not occupied, it is in bad shape. The foundation is failing. The roof is deteriorating. The upstairs window is missing and is open to inclement weather. Windows are also broken. The exterior siding is also missing and rotten.

Steve Stout addressed the board and provided an update regarding the subject property. He stated that we have been working with the owner for some years, but no repairs have been made.

Motion by Walt Kubanek, second by Demario Phillips, to declare 965 Scott St as unsafe, substandard, a public nuisance and that the property be demolished.

**ROLL VOTE: Ayes: Willis, Burr, Phillips, Kubanek, Carson
Nays: None**

MOTION PASSES

ANY OTHER BUSINESS

Kim Burr inquired regarding 1428 Terrace Street, which had previously appeared before the Board following a fire. She noted that the structure recently experienced an additional fire and asked whether the property may return

before the Housing Board of Appeals.

Chief Kozal advised that substantial progress has been made toward rehabilitation and that the owner is nearing eligibility for an occupancy permit. He further indicated that it remains uncertain at this time whether the property will be placed on the Dangerous Buildings list.

The Board also engaged in similar discussion regarding a church property that sustained fire damage in recent weeks.

ADJOURNMENT

Motion to adjourn by Kim Burr, second by Demario Phillips.
The Housing Board of Appeals meeting adjourned at 6:10 p.m.

Respectfully Submitted,

Gabbie Pulos