



**FINAL ADMINISTRATIVE DECISION
ILLINOIS PROPERTY TAX APPEAL BOARD**

APPELLANT: Janet Agnoletti & Martin Zimmerman
DOCKET NO.: 23-01028.001-R-1
PARCEL NO.: 13-11-200-215

The parties of record before the Property Tax Appeal Board are Janet Agnoletti & Martin Zimmerman, the appellants; and the Lake County Board of Review.

Based on the facts and exhibits presented in this matter, the Property Tax Appeal Board hereby finds **No Change** in the assessment of the property as established by the **Lake** County Board of Review is warranted. The correct assessed valuation of the property is:

LAND: \$7,362
IMPR.: \$117,273
TOTAL: \$124,635

Subject only to the State multiplier as applicable.

The parties appeared before the Property Tax Appeal Board on October 23, 2024 for a hearing at the Lake County Board of Review Office in Waukegan pursuant to prior written notice dated September 26, 2024. Appearing was appellant Martin Zimmerman, and on behalf of the Lake County Board of Review was Jack Perry, Mass Appraisal Specialist.

Statement of Jurisdiction

The appellant timely filed the appeal from a decision of the Lake County Board of Review pursuant to section 16-160 of the Property Tax Code (35 ILCS 200/16-160) challenging the assessment for the 2023 tax year. The Property Tax Appeal Board finds that it has jurisdiction over the parties and the subject matter of the appeal.

Findings of Fact

The subject property consists of a 2-story condominium dwelling of frame exterior construction with 1,717 square feet of living area. The dwelling was constructed in 1987. Features of the home include a basement with finished area, central air conditioning, two fireplaces and a 441 square foot 2-car garage. The subject backs up to a golf course and is located across the street from Lake Barrington. The property is part of Lake Barrington Shores, a gated community, located in Lake Barrington, Cuba Township, Lake County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument the appellant submitted information on four comparable sales located within 0.97 of a mile from the subject property.¹ The comparables are improved with 2-story condominium dwellings of frame exterior construction ranging in size from 1,410 to 2,637 square feet of living area. The dwellings were built from 1975 to 1991. Each comparable has a basement, with three having finished area. Each dwelling has central air conditioning, one or two fireplaces and a 1-car garage. Comparables #2 and #4 each have a golf course location.² The properties sold from August 2023 to January 2024 for prices ranging from \$310,000 to \$345,000 or from \$121.35 to \$231.70 per square foot of living area, land included.

Mr. Zimmerman testified Shoreline Road, goes around Lake Barrington and asserted odd number street addresses have lake frontage while even number street addresses are across the street from the lake without direct access. Without documentary evidence, the appellant alleged his realtor told him his property was “assessed way too high” and could not be sold for its market value based on assessment. Mr. Zimmerman’s testified that realtor told him that lake front homes in the subject’s community sell from 10% to 20% more than homes without lake frontage. Based on this evidence, the appellant requested the subject’s total assessment be reduced to \$109,285 which reflects a market value of \$327,888 or \$190.97 per square foot of living area, land included, when applying the statutory level of assessment of 33.33%.

Under questioning by the hearing officer, Mr. Zimmerman described the layout of Lake Barrington Shores, explaining dwellings are constructed around Lake Barrington and that a golf course is located near the north end of the lake. The appellant described a walking path that encircles the entire lake shore with nature areas scattered along the shoreline path.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$124,635. The subject's assessment reflects a market value of \$373,942 or \$217.79 per square foot of living area, land included, when using the statutory level of assessment of 33.33%.³

In response to the appellant’s evidence and arguments, Mr. Perry contended board of review comparable #1, with an odd numbered street address, was in fact an interior lot without frontage on Lake Barrington. Mr. Perry asserted he observed this property’s aerial map just prior to the hearing. Mr. Zimmerman did not refute this contention by the board of review.

In support of its contention of the correct assessment the board of review submitted information on three comparable sales located within 0.25 of a mile from the subject property. The comparables are improved with 2-story condominium dwellings of frame exterior construction each with 1,717 square feet of living area. The homes were built in 1986 or 1987. Each

¹ At hearing the board of review provided the distance from the subject for the appellant’s comparables and board of review comparables #2 and #3.

² At hearing the parties disclosed location on Lake Barrington or the community golf course for each of the comparables in the record.

³ Procedural rule Sec. 1910.50(c)(1) provides that in all counties other than Cook, the three-year county wide assessment level as certified by the Department of Revenue will be considered. 86 Ill.Admin.Code Sec. 1910.50(c)(1). Prior to the drafting of this decision, the Department of Revenue has yet to publish figures for tax year 2023.

comparable has a basement with finished area, central air conditioning, two fireplaces and a 441 square foot 2-car garage. Comparables #2 and #3 have lake front locations. The properties sold from November 2021 to May 2023 for prices ranging from \$435,000 to \$550,000 or from \$253.35 to \$320.33 per square foot of living area, land included.

Mr. Perry argued that even with a 20% reduction to the sale prices for board of review comparables #2 and #3, these two properties still have market values well above the subject's market value based on its assessment. Based on this evidence, the board of review requested the subject's assessment be confirmed.

Conclusion of Law

The appellant contends the market value of the subject property is not accurately reflected in its assessed valuation. When market value is the basis of the appeal the value of the property must be proved by a preponderance of the evidence. 86 Ill.Admin.Code §1910.63(e). Proof of market value may consist of an appraisal of the subject property, a recent sale, comparable sales, or construction costs. 86 Ill.Admin.Code §1910.65(c). The Board finds the appellant did not meet this burden of proof and a reduction in the subject's assessment is not warranted.

The parties submitted seven comparable sales for the Board's consideration. The Board gives less weight to appellant comparables #1, #2 and #3 which are less similar to the subject in age, basement finish and or lack either a lake front or a golf course location. The Board gives less weight to board of review comparable #1 which sold in 2021, less proximate to the January 1, 2023 assessment date than other properties in the record.

On this limited record, the Board finds the best evidence of market value to be appellant comparable #3 along with board of review comparables #2 and #3 which are more similar to the subject in age, design, basement features and other amenities. However, appellant comparable #1 has a smaller dwelling size and smaller garage size while the board of review comparables each have lake front locations suggesting adjustments are needed to make these properties more equivalent to the subject. These best comparables sold from June 2022 to August 2023 for prices ranging from \$312,000 to \$550,000 or from \$221.28 to \$320.33 per square foot of living area, including land. The subject's assessment reflects a market value of \$373,942 or \$217.79 per square foot of living area, including land, which falls within the range established by the best comparable sales in this record on an overall market value basis and below the range on a per square foot basis. After considering appropriate adjustments to the best comparables for differences from the subject, the Board finds the subject's assessment is justified and a reduction in the subject's assessment is not warranted.

This is a final administrative decision of the Property Tax Appeal Board which is subject to review in the Circuit Court or Appellate Court under the provisions of the Administrative Review Law (735 ILCS 5/3-101 et seq.) and section 16-195 of the Property Tax Code. Pursuant to Section 1910.50(d) of the rules of the Property Tax Appeal Board (86 Ill.Admin.Code §1910.50(d)) the proceeding before the Property Tax Appeal Board is terminated when the decision is rendered. The Property Tax Appeal Board does not require any motion or request for reconsideration.



Chairman



Member



Member



Member



Member

DISSENTING: _____

CERTIFICATION

As Clerk of the Illinois Property Tax Appeal Board and the keeper of the Records thereof, I do hereby certify that the foregoing is a true, full and complete Final Administrative Decision of the Illinois Property Tax Appeal Board issued this date in the above entitled appeal, now of record in this said office.

Date: _____

December 17, 2024



Clerk of the Property Tax Appeal Board

IMPORTANT NOTICE

Section 16-185 of the Property Tax Code provides in part:

"If the Property Tax Appeal Board renders a decision lowering the assessment of a particular parcel after the deadline for filing complaints with the Board of Review or after adjournment of the session of the Board of Review at which assessments for the subsequent year or years of the same general assessment period, as provided in Sections 9-125 through 9-225, are being considered, the taxpayer may, within 30 days after the date of written notice of the Property Tax Appeal Board's decision, appeal the assessment for such subsequent year or years directly to the Property Tax Appeal Board."

In order to comply with the above provision, YOU MUST FILE A PETITION AND EVIDENCE WITH THE PROPERTY TAX APPEAL BOARD WITHIN 30 DAYS OF THE DATE OF THE ENCLOSED DECISION IN ORDER TO APPEAL THE ASSESSMENT OF THE PROPERTY FOR THE SUBSEQUENT YEAR OR YEARS. A separate petition and evidence must be filed for each of the remaining years of the general assessment period.

Based upon the issuance of a lowered assessment by the Property Tax Appeal Board, the refund of paid property taxes is the responsibility of your County Treasurer. Please contact that office with any questions you may have regarding the refund of paid property taxes.

PARTIES OF RECORD

AGENCY

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