



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

APPELLANT: Dolores Kohl  
DOCKET NO.: 23-02978.001-R-3  
PARCEL NO.: 16-23-206-005

The parties of record before the Property Tax Appeal Board are Dolores Kohl, the appellant, by attorney Timothy C. Jacobs, of Kovitz Shifrin Nesbit in Mundelein; 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:** \$1,523,306  
**IMPR.:** \$616,484  
**TOTAL:** \$2,139,790

Subject only to the State multiplier as applicable.

**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 2.5-story dwelling of brick exterior construction with 7,251 square feet of living area.<sup>1</sup> The dwelling was constructed in 1926 and has a chronological age of 97 years old. Features of the home include an unfinished basement, central air conditioning, eight fireplaces, an inground swimming pool and a 1,195 square foot 3-car garage. The subject's detached garage has finished area on the second floor including a kitchen and bathroom. The property has a 4.25-acre site situated on Lake Michigan and is located in Highland Park, Moraine Township, Lake County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument the appellant submitted an appraisal estimating the subject property had a market value of

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<sup>1</sup> The Board finds the best description of the subject's dwelling size was found in the appellant's appraisal report which contained a sketch with dimensions for each floor of the subject property.

\$3,800,000 as of January 1, 2023. The appraisal was prepared by Christopher McDonnell, a Certified Residential Real Estate Appraiser. The intended use of the appraisal report was to develop the retrospective fee simple market value of the subject property in support of an ad valorem tax appeal. The appraiser indicated the highest and best use of the subject property was its present use.

In estimating the market value of the subject property, the appraiser developed the sales comparison approach to value selecting four comparable sales located from 0.05 of a mile to 3.20 miles from the subject property. The comparables have lake front sites that range in size from 0.98 to 1.74-acres of land area and are improved with 1-story or 2-story dwellings of C3 quality construction ranging in size from 5,170 to 7,457 square feet of living area. The homes range in age from 20 to 63 years old. Each comparable has a basement, with three having finished area. Each dwelling has central air conditioning, one to six fireplaces, a 3-car garage and an inground swimming pool. Comparable #4 also features an indoor inground swimming pool and hot tub. Additional features include a pool house for comparable #1, comparable #2 has living area above the garage and comparable #4 has an indoor sport court. The comparables sold from May 2020 to June 2023 for prices of \$3,530,000 or \$4,500,000 or from \$474.72 to \$742.97 per square foot of living area, land included.

The appraiser described the subject interior to be in good condition, but very dated, noting the kitchen has older painted cabinetry and reported the subject property had no updates in the prior 15 years. Interior photographs of the subject property support the appraiser's description of the subject's interior condition. The appraiser stated the subject site is "approximately four acres with two acres being ravine property that is not useable." As a result, the appraiser opined the subject's two ravine acres did not contribute to value and opined may adversely affect value due to taxes, useability and safety. The appraiser further stated there is no market data to support an adjustment, either positive or negative for the subject's site size relative to the comparables.

The appraiser adjusted the comparables for differences with the subject in condition, room count, dwelling size, basement features and other elements arrived at adjusted sale prices of the comparables ranging from \$3,263,100 to \$4,214,500 and an opinion of market value for the subject of \$3,800,000. Based on this evidence, the appellant requested the subject's assessment be reduced to \$1,400,000 which equates to a market value of \$4,200,000 or \$579.29 per square foot of living area, land included when applying the statutory assessment level of 33.33%.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$2,139,790. The subject's assessment reflects a market value of \$6,420,012 or \$885.40 per square foot of living area, land included, when using the statutory level of assessment of 33.33%.<sup>2</sup>

In support of its contention of the correct assessment the board of review submitted information on four comparables located within from 0.22 of a mile to 2.73 miles from the subject property.

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<sup>2</sup> 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.

Board of review comparables #1 and #3 are the same properties as appraisal comparables #3 and #2, respectively.<sup>3</sup> The comparables have sites that range in size from 27,350 to 126,780 square feet or 0.63 to 2.91 acres of land area. The comparable sites are improved with 1-story or 2-story dwellings of wood siding, stone or brick exterior construction ranging in size from 4,120 to 6,030 square feet of living area. The homes range in age from 26 to 96 years old. Each comparable has a basement with finished area, central air conditioning, one or two fireplaces and a garage ranging in size from 460 to 911 square feet of building area. Comparables #1, #3 and #4 each have an inground swimming pool. The comparables sold from April 2020 to October 2022 for prices ranging from \$3,360,000 to \$3,841,145 or from \$577.02 to \$825.24 per square foot of living area, land included.

The board of review, through Moraine Township, submitted written comments asserting all lake front properties in Moraine Township have ravine property which provides access to and views of Lake Michigan. The board of review contended that home buyers pay a premium for lake front property, including the respective ravine area. The board of review critiqued the appraisal arguing no adjustment was made for the subject's larger site size relative to comparable properties. To document lake front site values, the board of review submitted a spreadsheet labeled Lake County Board of Review Land Comparison which includes information on five sales where no improvements are shown but where each property depicts a prior improvement to have been demolished. This table also provides a breakdown of each site's square footage disclosing buildable "table land" and "ravine/bluff land" area to support their assertion that lake front properties each have a ravine or bluff land component. The five land sales range in size from 42,997 to 156,620 square feet or 0.99 to 3.60 acres of land area. The land comparables sold from July 2020 to April 2022 for prices ranging from \$2,323,000 to \$6,000,000 or from \$37.18 to \$54.07 per square foot of land area. The subject has a land assessment of \$1,523,306 that equates to a market value of \$4,570,375 or \$24.65 per square foot of land area.

The board of review noted the subject's appraised value of \$3,800,000 falls below the indicated market value reflected by its land 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 appellant submitted an appraisal and the board of review submitted four comparable sales, two of which were also selected by the appraiser. In addition, the board of review submitted information on five comparable lake front land sales for the Board's consideration.

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<sup>3</sup> The description of basement amenities for board of review comparable #3/appraisal comparable #2 differ between the parties. The board of review indicates this property has 1,140 square feet of finished basement area while the appraisal depicts the dwelling to have an unfinished basement.

Initially, the Board finds it problematic the appraiser failed to adjust its comparables site size when compared to the subject particularly given the appraiser's statement contenting "[t]here is no market data to support an adjustment, either positive or negative" as well as the appraiser's opinion the subject's ravine area little value or utility.

The board of review submitted evidence contradicting the appraiser, noting all lake front lots in Moraine Township feature either a ravine or bluff which provides access to Lake Michigan. The board of review also provided detailed information on five recent lake front land sales which sold for prices ranging from \$37.18 to \$54.07 per square foot of land area.

The subject has a land assessment of \$1,523,306 which equates to a market value of \$4,570,375 or \$24.65 per square foot of land area. This indicated value of market value for the subject site fall well above the appraiser's opinion of market value for the subject of \$3,800,000 and suggests the subject's highest and best use is not its present use as a 97 year old home. Given the appraiser failed to correctly value the subject property with its highest and best use, the Board gives little weight to the appraiser's opinion of value for the subject as presented in the appraisal.

The Board finds the best evidence of market value to be the board of review's five land comparables, demonstrating market demand for lake front residential sites. These comparables sold from July 2020 to April 2022 for prices ranging from \$2,325,000 to \$6,000,000 or from \$37.18 to \$54.07 per square foot of land area. The subject's land assessment reflects a market value of \$4,570,375 or \$24.65 per square foot of land area, which falls within the range established by the land comparables on an overall market value basis and below the range on a per square foot basis. After considering adjustments to the comparables for differences with the subject, the Board finds the subject property may be under assessed based on comparable land sales, however, since the board of review did not request an increase in assessment, the Board finds neither an increase nor a decrease in the subject's assessment is justified.

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: \_\_\_\_\_

November 19, 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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