



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

APPELLANT: Southern Belle's Pancake House  
DOCKET NO.: 06-25399.001-C-1 through 06-25399.003-C-1  
PARCEL NO.: See Below

The parties of record before the Property Tax Appeal Board are Southern Belle's Pancake House, the appellant, by attorney Brian P. Liston of the Law Offices of Liston & Tsantilis, P.C., in Chicago, and the Cook County Board of Review.

Based on the facts and exhibits presented, the Property Tax Appeal Board hereby finds no change in the assessment of the property as established by the Cook County Board of Review is warranted. The correct assessed valuation of the property is:

DOCKET NO	PARCEL NUMBER	LAND	IMPRVMT	TOTAL
06-25399.001-C-1	18-24-301-005-0000	17,943	16,067	\$34,010
06-25399.002-C-1	18-24-301-006-0000	16,182	48,203	\$64,385
06-25399.003-C-1	18-24-301-007-0000	16,182	16,067	\$32,249

Subject only to the State multiplier as applicable.

**ANALYSIS**

The subject property consisting of three parcels is improved with a 19-year old, one-story commercial building used as a restaurant. The structure contains 5,730 square feet of building area. The subject site of 34,569 square feet of land area is located in Bridgeview, Lyons Township, Cook County.

The appellant's appeal is based on overvaluation of the subject property. In support of this market value argument, the appellant submitted information on three sales comparables. The parcels ranged in size from 7,500 to 100,188 square feet of land area. The parcels were improved with two, one-story and one, two-story commercial buildings used as restaurants that range in age from 13 to 29 years old and range in size from 11,936 to 19,000 square feet of building area. The sales occurred from March 2002 to June 2003 for prices ranging from \$410,000 to \$800,000 or from \$34.17 to \$42.11 per square foot of building area including land. Based on this evidence, the appellant requested a reduction in the subject's total assessment to \$114,000 so as to reflect a market value of approximately

\$300,000 at the 38% level of assessment for Class 5-17 property under the Cook County Real Property Assessment Classification Ordinance.

The board of review submitted its "Board of Review Notes on Appeal" wherein the subject's final total assessment of \$130,644 was disclosed. The subject's assessment reflects an estimated market value of \$343,800 or \$60.00 per square foot of building area, including land, using the 38% level of assessment for Class 5A properties under the Ordinance. (86 Ill.Admin.Code §1910.50(c)(3)).

In support of the subject's estimated market value as reflected by its assessment, the board of review submitted a memorandum addressing sales history of the subject. The board of review reported the March 2007 Trustee's Deed for \$500,000 or \$87.26 per square foot of building area including land.

In addition, the board of review presented ten comparable sales located within a 4-mile radius of the subject in the communities of Bedford Park, Hodgkins, Countryside, Burbank, Berwyn, Chicago, Hickory Hills and Oak Lawn. The comparables are improved with single or two-tenant retail "restaurant" buildings that range in size from 3,080 to 10,000 square feet of building area. The parcels range in size from 15,686 to 99,360 square feet of land area. Five of the buildings range in age from 13 to 46 years old. No age was provided for the remaining five comparables. The sales occurred between May 2001 and December 2006 for prices ranging from \$250,000 to \$4,152,000 or from \$37.88 to \$604.93 per square foot of building area including land.

Based on this evidence, the board of review requested confirmation of the subject property's assessment.

After reviewing the record and considering the evidence, the Property Tax Appeal Board finds that it has jurisdiction over the parties and the subject matter of this appeal. The Board further finds a reduction in the subject's assessment is not warranted.

The appellant contends the assessment of the subject property is excessive and not reflective of its market value. When market value is the basis of the appeal the value of the property must be proved by a preponderance of the evidence. National City Bank of Michigan/Illinois v. Illinois Property Tax Appeal Board, 331 Ill.App.3d 1038 (3<sup>rd</sup> Dist. 2002). The Board finds the evidence in the record does not support a reduction in the subject's assessment.

The parties submitted a total of 13 comparable sales for the Board's consideration. The Board finds the comparables submitted by the appellant were all substantially larger than the subject building and therefore dissimilar for comparison purposes. The Board finds comparables #2, #3 and #4 submitted by the board of review were most similar to the subject in lot size, building size and design/use along with having sales most proximate to the

valuation date of January 1, 2006. Due to their similarities to the subject, these comparables received the most weight in the Board's analysis. These comparables sold between September 2004 and December 2006 for prices ranging from \$1,300,000 to \$3,236,365 or from \$177.55 to \$604.93 per square foot of building area, including land. The subject's assessment reflects a market value of approximately \$343,800 or \$60.00 per square foot of building area, including land which falls below the range established by the most similar comparable sales on a per-square-foot basis. After considering the most comparable sales on this record, the Board finds the appellant did not demonstrate the subject property's assessment to be excessive in relation to its market value and a reduction in the subject's assessment is not warranted on this record.

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.



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Chairman



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Member



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Member



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Member



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Member

DISSENTING: \_\_\_\_\_

C E R T I F I C A T I O N

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: May 18, 2012



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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 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 the subsequent year 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.

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.