



For Office Use Only

Permit No. CU ____ - ____
Fee \$660.00

Crook County Community Development Planning Division

300 NE 3rd Street, Room 12, Prineville Oregon 97754

Phone: 541-447-8156 / Fax: 541-416-3905

Email: plan@co.crook.or.us / Website: www.co.crook.or.us

Conditional Use Application – Private Property Burials

IMPORTANT NOTICE: The Crook County Planning Department is required to review all applications for accuracy and to determine whether the staff and/or the Planning Commission have the information needed to make a decision. County Ordinances allow the County 30 days to determine whether the application is complete. Within that 30-day period, the Planning Department will request additional information, if necessary. A decision on your application will be postponed until the information is received. State law requires that all information to support an application be available for public inspection at our office 20-days before a public hearing. Any information submitted after this date may require a postponement of the hearing date if necessary. **Please make sure your application is complete. The burden of proof lies with the applicant.**

PROPERTY OWNER

Last Name: _____ First Name: _____
Mailing Address: _____
City: _____ State: _____ Zip: _____
Day-time phone: (____) _____ - _____ Cell Phone: (____) _____ - _____
Email: _____

AGENT / REPRESENTATIVE (MUST SIGN THE ATTACHED LETTER OF AUTHORIZATION)

Last Name: _____ First Name: _____
Mailing Address: _____
City: _____ State: _____ Zip: _____
Day-time phone: (____) _____ - _____ Cell Phone: (____) _____ - _____
Email: _____

PROPERTY LOCATION

Township _____ South, Range _____ East WM, Section _____, Tax lot _____
Size of property: _____ Acres Zoning: _____
Physical address: _____
Subdivision name, if applicable: _____

Through applying for this application, as the owner of the property, I am requesting written consent from Crook County for the burial of human remains on my property in accordance with the Oregon Revised Statutes (ORS) 97.460.

For information on private property burials contact the Oregon Mortuary & Cemetery Board staff directly by calling (503) 673-1500, or visit their website at: www.oregon.gov/mortcem

Crook County recommends you **CALL BEFORE YOU DIG AT 811 OR 1-800-332-2344**. Calling before beginning any excavation prevents damage to underground facilities, service interruptions & bodily injury – See more at <http://callbeforeyoudig.org>

** Please keep in mind if the property changes ownership at a later date, you may want to record an easement agreement to provide you access to the site.

Question: How many people can be buried on my property?

Answer: As long as they are family members, there is no limit. However, this application is only for one (1) person.

Name of Deceased Person: _____

Relationship of Deceased Person to Property Owner: _____

ORS 97.460 states:

- (1) A person may not lay out, open up or use any property for cemetery or burial park purposes, unless the person:
- a. Is the owner of the property;
 - b. Has the written consent of the Planning Commission of the County or City having jurisdiction under ORS 92.042 or, if there is no such Commission in such County or City, the governing body of such county or city;
 - c. Agrees to maintain records of the disposition of human remains on the property as required by the Planning Commission or governing body of the County or City having jurisdiction under ORS 92.042; and
 - d. Agrees to disclose the disposition of human remains upon sale of the property. Failure to disclose the disposition of human remains does not invalidate the sale of the property.
- (2) A Planning Commission of a County or City or, if there is no Planning Commission in a County or City, the governing body of the County or City, shall provide to the State Mortuary and Cemetery Board a list of requirements for laying out, opening up or using property in the County or City for cemetery or burial park purposes.

I, _____, the property owner or authorized agent agree to the above regulations related to the requirements of Private Property Burial.

Owner or Authorized Agent's Signature

Date

CHECK LIST OF REQUIREMENTS

- A completed application form with the appropriate signatures;
- A property **SITE PLAN** indicating location of burial:
 - a. The **SITE PLAN** shall show the entire property indicating location of burial, setbacks to property lines, structures, septic system(s), easements, driveway access, roadway, and well(s) located on the subject property. If there are multiple burial sites on the property, show all sites. (See below)
- Copy of the Tax Lot Card. (Available from the Crook County Community Development Department)
- Submit a copy of the recorded "Private Burial Covenant" with attached exhibits. (see attached)
- If someone else will be submitting this application on your behalf (Agent), you'll need to complete the "Authorization Form." (See attached)
- Copy of the current owners Warranty Deed.
- Copy of Death Certificate
- Recorded Access Easement to Burial site(s)
- If a Corporation, Limited Liability Company or a Trust, the following is required.
 - a. In addition, you will need to include a copy of Bylaws (Corporations); an Operating Agreement (Limited Liability Company); or Certificate of Trust (Trusts), that verifies authority to sign on behalf of the entity.
- Submit the correct application fee.

SIGNATURES

I/We agree to meet the standards governing the laws for Conditional Use Applications as outlined in the State of Oregon's OAR, ORS, Crook County Code, and Crook County – Prineville Comprehensive Plan. I/We agree that all the information contained in this application is true to the best of my knowledge.

Owner Signature: _____ Date: _____

Print Name: _____

Owner Signature: _____ Date: _____

Print Name: _____

Agent Signature: _____ Date: _____

Print Name: _____

(Note: If agent/representative is submitting your application on behalf of the property owner, the "Letter of Authorization" form must be completed and attached to this application)

HOW TO COMPLETE YOUR SITE PLAN

**The #1 reason for delays in approving applications is incomplete SITE PLANS.
Please refer to Checklist below**

A SITE PLAN is needed to review your development proposal for zoning, addressing, sanitation, and building requirements. Producing a complete SITE PLAN will take a little time, but time spent now will speed up your application process later.

YOUR SITE PLAN MUST BE ON AN 8 ½ INCH X 11 INCH SHEET OF PAPER. ALL OTHER SIZES WILL BE REJECTED.

Five Tips Before You Start:

TIP #1 – TALK to a COMMUNITY DEVELOPMENT STAFF MEMBER:

Prior to submitting a development application, meet with a Community Development Staff member to discuss potential land use issues and required setbacks.

TIP #2 – CHECK YOUR RECORDS:

To help you create your SITE PLAN, the Community Development Staff member will supply you with an Assessor's Tax Map that shows your property configuration. Other sources of information include aerial photos, deed and title records, an appraiser's report, or surveys.

TIP #3 – TOOLS you will NEED:

Before you begin, you will need either a computer software program (CAD) or something similar, or a regular ruler or engineer scale ruler, for measuring distances, scaling your SITE PLAN, and serve as a straightedge. Use a pencil or pen.

TIP #4 – DRAW to a SCALE DIVISIBLE by 10:

A uniform drawing scale is important to accurately display how various elements of your development proposal fit together.

- An example of a drawing scale is 1 inch = 50 feet ~ in other words, every 50 feet on your property will equal 1 inch on your SITE PLAN. This will allow you to measure distances on your property and draw them proportionally on your SITE PLAN. You **MUST** use a Standard Engineer Scale – i.e. 1 inch = 10 feet, 20 feet, 30 feet, 40 feet, 50 feet, 60 feet or 100 feet.

TIP #5 – KEEP A COPY

Once your SITE PLAN drawings are complete, make a copy of them for your personal records.

YOU MUST USE THE SAME SITE PLAN EACH TIME YOU APPLY FOR NEW DEVELOPMENT PROJECTS.

DETAILED SITE PLAN REQUIREMENTS

The detailed “**SITE PLAN**” must include the following:

- Scale of map
- North arrow.
- Dimensions and boundaries of the property.
- Burial site must have a recorded easement and survey
- Access easement to the burial site.

Crook County Community Development

300 NE 3rd Street, Room 12

Prineville, OR 97754

Phone: (541) 447-8156 / Fax: (541) 416-2139

Email: plan@co.crook.or.us / Website: www.co.crook.or.us

FORM B

STATEMENT OF UNDERSTANDING

I wish to develop the property described as Township _____ South, Range _____ East WM, Section _____, Tax lot(s) _____ in a way that requires permits from Crook County, including land use approval, a septic site evaluation and/or septic permits, and building and supplemental construction permits.

I understand that State law does not allow Crook County to issue a septic or building permit before the County has determined that the proposed development complies with all County land use regulations.

In addition, in making this request, I understand and agree that:

1. No other permits will be issued until the land use permit has been granted.
2. The land use permit may not be granted if the required approval criteria are not met.
3. If the land use permit is not granted, the other permits applied for will not be issued.
4. If the land use permit is not granted, no refund will be given for any land use, site evaluation, plan review or permit fees already paid.

Name: _____

Mailing Address: _____

City: _____ State: _____ Zip: _____

Owner's Signature: _____ Date: _____
(Original Signature)

Owner's Signature: _____ Date: _____
(Original Signature)



Community Development Department

300 NE 3rd Street, Prineville, OR 97754

Phone: (541) 447.8156 / Fax: 541-416-2139

Email: plan@co.crook.or.us / Website: www.co.crook.or.us

AUTHORIZATION FORM

Let it be known that _____

(Print name clearly)

has been retained to act as my authorized agent to perform all acts for development on my property noted below: These acts include: Pre- application conference, filing applications and/or other required documents relative to all Permit applications.

Physical address of property: _____, and described in the records of CROOK COUNTY as:

Township _____ South, Range _____ East, Section _____, Tax lot _____

Township _____ South, Range _____ East, Section _____, Tax lot _____

The costs of the above actions, which are not satisfied by the agent, are the responsibility of the undersigned property owner.

PROPERTY OWNER

(Please Print Clearly)

Signature: _____ Date: _____

Print Name: _____

Mailing address: _____

City: _____ State: _____ Zip: _____

Home Phone: (____) _____ - _____ Cell Phone: (____) _____ - _____

Email: _____

- Individual(s)
- Corporation;
- Limited Liability Corporation;
- Trust

IMPORTANT NOTE: Indicate whether property is owned in individual name(s), or by a business or other entity (e.g. Corporation, Limited Liability Company; or Trust). If property is owned by an entity, include names of all authorized signers. For Example:

If the owner is a Corporation, Limited Liability Corporation or Trust, the following information is required as part of this form.

If a Corporation ~ please provide the name of President or other authorized signor(s).

If a Limited Liability Corporation ~ provide names of **ALL** members & managers.

If a Trust ~ provide the name of current Trustee(s)

In addition, you will need to include a copy of Bylaws (Corporations); an Operating Agreement (Limited Liability Company); or Certificate of Trust (Trusts) that verifies authority to sign on behalf of the entity.

AGENT

Signature: _____ Date: _____

Print Name: _____

Mailing address: _____

City: _____ State: _____ Zip: _____

Home Phone: (____) ____ - ____ Cell Phone: (____) ____ - ____

Email: _____

After Recording Return to:

PRIVATE BURIAL COVENANT

The undersigned person(s), _____ (print name(s)), the "OWNERS" of real property located in Crook County, Oregon and more particularly identified as Township ____ South, Range ____ East WM, Section _____, Tax Lot _____. **Exhibit "A"** must include the full legal description as described in recorded Deed, hereby making the following restrictive covenant for the above-described real property, specifying that the covenant shall constitute a covenant to run with all of the land and shall be binding on all persons claiming under such land and that these restrictions shall be for the benefit of and limitation upon all future owners of said real estate.

The following restrictive covenants hereafter bind the subject property:

As provided by ORS 97.040, the property has been used as a private family ground, where human remains have been buried. The specific location of the burial site is shown on a Site Plan (as attached on **Exhibit "B"**).

Crook County Planning Division Approval Number: _____

Pursuant to ORS 97.010 and 692.010, the burial site identified in paragraph 1 does not dedicate the subject property, or any portion of the property, for cemetery or burial park purposes.

Pursuant to ORS 92.010, the use of the property as a burial site does not act as a division of land.

The undersigned OWNER'S further declare and agree that they have read and understood this Declaration and Covenant, and has signed the same of Owner(s) own free will.

Owner Name: (Please Print) _____

Owner Signature: _____ Date: _____

Owner Name: (Please Print) _____ Date: _____

Owner Signature: _____

STATE OF OREGON)

County of _____)

The foregoing instrument was acknowledged before me this _____ day of _____, 20 ____ by

(owner's name(s))

Notary Public of Oregon

My Commission expires: _____



SITE PLAN

