

**Department of Planning and Development**

446 West Crogan Street • Lawrenceville, GA 30046-2440  
(tel) 678.518.6000  
www.gwinnettcountry.com



gwinnettcountry

**APPLICATION FOR BURIAL DISTURBANCE PERMIT  
(Revised 1/2010)**

Please complete the following and submit with all required attachments to the Department of Planning and Development.

(Type or Print)

| APPLICANT INFORMATION                  |  | OWNER INFORMATION                       |  |
|--|--|---|--|
| NAME _____                             |  | NAME _____                              |  |
| ADDRESS _____                          |  | ADDRESS _____                           |  |
| CITY _____                             |  | CITY _____                              |  |
| STATE _____ ZIP _____                  |  | STATE _____ ZIP _____                   |  |
| PHONE _____                            |  | PHONE _____                             |  |
| CONTACT PERSON _____                   |  | PHONE _____                             |  |
| <b>APPLICANT IS THE:</b>               |  |   |  |
| <input type="checkbox"/> OWNER'S AGENT |  | <input type="checkbox"/> PROPERTY OWNER |  |
|  |  | <input type="checkbox"/> CONTACT PERSON |  |

| DEVELOPMENT INFORMATION   |                       |
|---------------------------|-----------------------|
| NAME OF DEVELOPMENT _____ |                       |
| BURIAL LOCATION _____     |                       |
| NUMBER OF GRAVES _____    | ACREAGE OF SITE _____ |

| APPLICATION ATTACHMENTS CHECKLIST                      |  |
|--|--|
| <input type="checkbox"/> EVIDENCE OF OWNERSHIP         | <input type="checkbox"/> ARCHEOLOGIST REPORT |
| <input type="checkbox"/> GENEALOGIST PLAN              | <input type="checkbox"/> MITIGATION PROPOSAL |
| <input type="checkbox"/> DISINTERMENT/REINTERMENT PLAN | <input type="checkbox"/> SURVEY OF PROPERTY  |
| <input type="checkbox"/> LEGAL DESCRIPTION             | <input type="checkbox"/> APPLICATION FEE     |

**NOTE:** The Department shall not accept incomplete applications.

Pursuant to Section 36-72-8 of Georgia Law, the Board of Commissioners finds that the following issues are relevant in considering a decision on an Application for a Burial Disturbance Permit.

Please make a statement in response to the following items in the space provided or use an attachment as necessary:

1. The presumption in favor of leaving the cemetery or burial ground undisturbed:

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2. The concerns and comments of any descendants of those buried in the burial ground or cemetery and any other interested parties:\_\_\_\_\_

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3. The economic and other costs of mitigation:

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4. The adequacy of the applicant's plans for disinterment and proper disposition of any human remains or burial objects:

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5. The balancing of the applicant's interest in disinterment with the public's and any descendant's interest in the value of the undisturbed cultural and natural environment:

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6. Any other compelling factors which give supporting grounds for either approval or disapproval of the proposed Burial Disturbance Permit:

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**APPLICANT'S CERTIFICATION**

The undersigned below certifies that he/she is authorized to submit this application on behalf of the owner:

Signature of Applicant \_\_\_\_\_ Date \_\_\_\_\_

Type of Print Name and Title \_\_\_\_\_

Signature of Notary Public \_\_\_\_\_ Date \_\_\_\_\_

My Commission Expires: \_\_\_\_\_ Notary Seal

**OWNER'S CERTIFICATION**

The undersigned below certifies that he/she is the owner of the property considered in this application.

Signature of Owner \_\_\_\_\_ Date \_\_\_\_\_

Type of Print Name and Title \_\_\_\_\_

Signature of Notary Public \_\_\_\_\_ Date \_\_\_\_\_

My Commission Expires: \_\_\_\_\_ Notary Seal

**DEPARTMENT OF PLANNING AND DEVELOPMENT USE ONLY**

Date Rec'd \_\_\_\_\_ Rec'd By \_\_\_\_\_ Appl. No. \_\_\_\_\_

District/Land Lot/Parcel \_\_\_\_\_ Zoning \_\_\_\_\_

Application Fee \$ \_\_\_\_\_ Receipt No. \_\_\_\_\_

Recommendation:

Denial  Approval as Requested  Approval with the following conditions:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**DECISION BY BOARD OF COMMISSIONERS**

Denial    Approval as Requested    Approval with the following conditions:

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**Action Certified by:** \_\_\_\_\_ **Title** \_\_\_\_\_

**Date of Board of Commissioners Action:** \_\_\_\_\_

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**INSTRUCTIONS AND REQUIREMENTS  
 FOR A BURIAL DISTURBANCE PERMIT  
 (Revised 1/2010)**

An application for a Burial Disturbance Permit shall be submitted to the Department of Planning and Development and shall include the following:

- I. Application fee as follows:

| <b>RELOCATION</b>                   |  |
|-------------------------------------|--|
| <b>NUMBER OF BURIAL/GRAVE SITES</b> | <b>APPLICATION FEE</b>   |
| <b>FIVE (5) OR LESS</b>             | <b>\$500.00</b>  |
| <b>GREATER THAN FIVE (5)</b>        | <b>\$500.00 PLUS \$100.00 EACH<br/>ADDITIONAL OVER FIVE (5) NOT<br/>TO EXCEED \$2,500.00</b> |

| <b>PRESERVATION</b>                 |   |
|-------------------------------------|---|
| <b>NUMBER OF BURIAL/GRAVE SITES</b> | <b>APPLICATION FEE</b>  |
| <b>FIVE (5) OR LESS</b>             | <b>\$500.00</b>   |
| <b>GREATER THAN FIVE (5)</b>        | <b>\$500.00 PLUS \$25.00 EACH<br/>ADDITIONAL OVER FIVE (5)<br/>NOT TO EXCEED \$750.00</b> |

2. Notarized signatures of Applicant and Owner.
3. A current legal description of the subject property. If the application consists of several tracts of land, a description of each tract is required.
4. A status report providing details of the applicant’s efforts to identify and locate descendants.
5. The following documents as required by Georgia Law OCGA 36-72-5:
  - a. **EVIDENCE OF OWNERSHIP** (“(1) Evidence of ownership of the land on which the cemetery or burial ground is located in the form of a legal opinion based upon a title search”).
  - b. **ARCHEOLOGIST REPORT** (“(2) A report prepared by an archeologist stating the number of graves believed to be present and their location as can be determined from the use of minimally invasive investigation techniques, including remote sensing methods and the use of metal probes, which activities shall not require a permit”).
  - c. **SURVEY OF PROPERTY** (“(3) A survey prepared by or under the direction of a registered surveyor showing the location and boundaries of the cemetery or burial ground based on an archeologist’s report”).

- d. **GENEALOGIST PLAN** (“(4) A plan prepared by a genealogist for identifying and notifying the descendants of those buried or believed to be buried in such cemetery”).
  - e. **MITIGATION PROPOSAL** (“(5) A proposal for mitigation or avoidance of the effects of the planned activity on the cemetery or burial ground. If the proposal includes relocation of any human remains or burial objects, the proposal shall specify the method of disinterment, the location and method of disposition of the remains, the approximate cost of the process, and the approximate number of graves affected”).
  - f. **DISINTERMENT/REINTERMENT PLAN** (See above e. Mitigation Proposal).
6. If the site is located within a proposed subdivision or other type development, provide copies of these development plans. Identify on these plans the location of the grave sites.
  7. Submit two (2) copies of all plans. One copy must be full size and one copy reduced to 8 1/2” x 11”.
  8. The Board of Commissioners shall hold a public hearing to consider the application. The Department shall schedule and advertise the public hearing.
  9. The applicant, or his/her agent, shall attend the public hearing.
  10. The Department shall notify the applicant in writing of the decision made by the Board of Commissioners.

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**2014  
 SUBMITTAL DATES AND BOARD OF COMMISSIONERS  
 MEETING DATES  
 FOR BURIAL DISTURBANCE PERMIT APPLICATIONS**

| Submit Application to Department   | Board of Commissioner's Night Meeting |
|--|---------------------------------------|
| <p>APPLICATIONS CAN BE SUBMITTED AT ANY TIME. REVIEW PROCESS VARIES. ONCE COMMENTS ARE RECEIVED AND THE COUNTY IS SATISFIED WITH COMPLIANCE OF REQUIREMENTS, A PUBLIC HEARING IS SCHEDULED (WITHIN 15 DAYS OF SATISFACTION).</p> | January 28, 2014                      |
|  | February 25, 2014                     |
|  | March 25, 2014                        |
|  | April 22, 2014                        |
|  | May 27, 2014                          |
|  | June 24, 2014                         |
|  | July 22, 2014                         |
|  | August 26, 2014                       |
|  | September 23, 2014                    |
|  | October 28, 2014                      |
|  | November 25, 2014                     |
|  | December 23, 2014                     |

**Note: Subject to change**

**\*\*To be determined**