

99012106007000, 99012106007000

# Building permit exemption procedure

Heruntergeladen am 06.06.2025

<https://fimportal.de/xzufi-services/8968713/L100039>

Modul	Sachverhalt
Leistungsschlüssel	99012106007000, 99012106007000
Leistungsbezeichnung I	Building permit exemption procedure
Leistungsbezeichnung II	Applying for deviations from building law requirements, from the provisions of a development plan or urban development statutes or from the provisions of the Land Use Ordinance
Typisierung	4 - Land: Regelung
Quellredaktion	Rheinland-Pfalz
Freigabestatus Katalog	unbestimmter Freigabestatus
Freigabestatus Bibliothek	unbestimmter Freigabestatus
<b>Begriffe im Kontext</b>	
Leistungstyp	Leistungsobjekt mit Verrichtung
Leistungsgruppierung	Baurecht (012)
Verrichtungskennung	Zulassung (007)
SDG-Informationsbereich	Kauf und Verkauf von Immobilien, einschließlich aller Bedingungen und Pflichten im Zusammenhang mit der

<b>Modul</b>	<b>Sachverhalt</b>
	Besteuerung, dem Eigentum oder der Nutzung von Immobilien (auch als Zweitwohnsitz)
<b>Lagen Portalverbund</b>	Erlaubnisse und Genehmigungen (2010400), Bauverfahren (2050500)
<b>Einheitlicher Ansprechpartner</b>	Nein
<b>Fachlich freigegeben am</b>	10.01.2025
<b>Fachlich freigegeben durch</b>	Ministry of Finance Rhineland-Palatinate
<b>Handlungsgrundlage</b>	<a href="https://landesrecht.rlp.de/bsrp/document/jlr-BauORPV28P67">https://landesrecht.rlp.de/bsrp/document/jlr-BauORPV28P67</a> <a href="https://www.landesrecht.rlp.de/bsrp/document/jlr-BauUntPr%C3%BCfVRPrahmen">https://www.landesrecht.rlp.de/bsrp/document/jlr-BauUntPr%C3%BCfVRPrahmen</a> <a href="https://landesrecht.rlp.de/bsrp/document/jlr-BauORPV28P67">https://landesrecht.rlp.de/bsrp/document/jlr-BauORPV28P67</a> <a href="https://www.landesrecht.rlp.de/bsrp/document/jlr-BauUntPr%C3%BCfVRPrahmen">https://www.landesrecht.rlp.de/bsrp/document/jlr-BauUntPr%C3%BCfVRPrahmen</a>
<b>Teaser</b>	What do I have to consider if I want to build within the scope of a qualified development plan?
<b>Volltext</b>	<p>The construction, modification, change of use and demolition of structural installations (e.g. buildings) require planning permission. However, this only applies if the Rhineland-Palatinate state building regulations do not stipulate otherwise, such as in the catalog of projects that do not require a building permit, in the exemption procedure and projects that are not subject to building supervision.</p> <p>In the exemption procedure, the municipality decides whether a building project that would normally require a building permit can be carried out without a building permit due to its location in a development plan or whether a building permit procedure should be carried out.</p>
<b>Erforderliche Unterlagen</b>	Which building documents must be submitted is determined in particular by the state ordinance on building documents and the building inspection. The application and the construction documents must be the responsibility of a design author who is authorized

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to submit construction documents for building applications.

Depending on the specific building project, further documents, e.g. the declaration on structural engineering evidence such as the proof of stability, must be submitted to the lower building supervisory authority before construction begins.

## Voraussetzungen

The exemption procedure applies to the following projects:

1. Projects pursuant to Section 66 (1) sentence 1 nos. 1 and 10LBauO, i.e. for
  - residential buildings in building classes 1 to 3, other buildings in building classes 1 and 2, with the exception of buildings as defined in Section 50 (special buildings), in each case including their outbuildings and ancillary facilities, and
  - building-independent systems for the use of solar radiation energy,
2. if they comply with the provisions of the development plan,
3. if the development is secured,
4. if the municipality does not declare that an approval procedure is to be carried out,
5. if there is no obligation to carry out an environmental impact assessment or a preliminary assessment in accordance with the law on environmental impact assessments for the project, and
6. the project does not fall under the scope of the so-called Seveso III Directive due to its type, size and location near or within a so-called major accident site.

For projects in accordance with Section 66 (2) sentence 1 LBauO, i.e. for

1. Residential buildings of building classes 4 and 5 with the exception of high-rise buildings,
2. Buildings in building classes 3 to 5 that are used exclusively or, in addition to residential use, predominantly for professional purposes within the meaning of Section 13 of the German Land Use

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Ordinance (BauNVO) in the version published on November 21, 2017 (BGBl. I p. 3786), as amended, with the exception of high-rise buildings,

3. Buildings in building classes 3 to 5 that are used for office or administrative purposes, including apartments in accordance with Section 8 (3) No. 1 BauNVO, with the exception of high-rise buildings

4. Buildings used exclusively as garages with a usable area of over 100 m<sup>2</sup> to 1,000 m<sup>2</sup> (medium-sized garages),

5. ground-floor workshop and warehouse buildings with no more than 5,000 m<sup>2</sup> of usable space including the necessary office and social rooms as well as apartments in accordance with Section 8 (3) No. 1 BauNVO.

the exemption procedure is only carried out at the request of the client. Conditions 2 to 6 above also apply.

<https://www.landesrecht.rlp.de/bsrp/document/jlr-BauORPV33P66>

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## Kosten

The amount of fees is set out in the state ordinance on fees and remuneration for official acts and services under building regulations law (special schedule of fees) or in the state ordinance on fees for official acts of a general nature (general schedule of fees).

## Verfahrensablauf

The application and the construction documents for the building project must be submitted to the responsible municipality.

## Bearbeitungsdauer

After submitting the complete building documents, the municipality has one month to either declare that a building permit procedure is to be carried out or to waive this. After the expiry of the month, the submission of such a declaration is excluded (§ 67 Para. 2 LBauO).

## Frist

The project may commence one month after receipt of the required construction documents by the municipal administration; if the municipality informs the client in

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	<p>text form before the expiry of the deadline that no approval procedure is to be carried out, the client may commence the project before the expiry of the one-month deadline (Section 67 (2) LBauO). The execution of the project, including the excavation of the building pit, may then only begin if the client has notified the building supervisory authority in text form at least one week before the start of the construction work (§ 77 Para. 1 LBauO).</p>
<b>weiterführende Informationen</b>	
<b>Hinweise</b>	
<b>Rechtsbehelf</b>	<p>The declaration of the municipality does not constitute an administrative act. In the event of disputes regarding building authority orders, the possibilities of the Administrative Court Code (VwGO), i.e. objection and legal action, are available.</p>
<b>Kurztext</b>	
<b>Ansprechpunkt</b>	<p>Municipal administration responsible for the building plot, in the case of municipalities belonging to the association, the association municipality administration.</p>
<b>Zuständige Stelle</b>	<p>Municipal administration responsible for the building plot, in the case of municipalities belonging to the association, the association municipality administration.</p>
<b>Formulare</b>	<p><a href="https://fm.rlp.de/service/vordrucke">https://fm.rlp.de/service/vordrucke</a> <a href="https://fm.rlp.de/service/vordrucke">https://fm.rlp.de/service/vordrucke</a></p>
<b>Ursprungsportal</b>	<p>Baugenehmigung Freistellungsverfahren, Building permit exemption procedure</p>