

99012070006000, 99012070006001, 99012071006000,
 99012072006001, 99012071006001, 99012072006000

Heruntergeladen am 08.06.2025

<https://fimportal.de/xzufi-services/1839/L100042>

Modul	Sachverhalt
Leistungsschlüssel	99012070006000, 99012070006001, 99012071006000, 99012072006001, 99012071006001, 99012072006000
Leistungsbezeichnung I	
Leistungsbezeichnung II	Building project; application for a building permit
Typisierung	4 - Land: Regelung
Quellredaktion	Bayern
Freigabestatus Katalog	unbestimmter Freigabestatus
Freigabestatus Bibliothek	unbestimmter Freigabestatus
Begriffe im Kontext	
Leistungstyp	
Leistungsgruppierung	
Verrichtungskennung	
SDG-Informationsbereich	
Lagen Portalverbund	
Einheitlicher	

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Ansprechpartner	
Fachlich freigegeben am	03.04.2025
Fachlich freigegeben durch	Bayerisches Staatsministerium für Wohnen, Bau und Verkehr (Bavarian State Ministry of Housing, Building and Transport)
Handlungsgrundlage	https://www.gesetze-bayern.de/Content/Document/BayBO-55 https://www.gesetze-bayern.de/Content/Document/BayBO-55 https://www.gesetze-bayern.de/Content/Document/BayBO-61 https://www.gesetze-bayern.de/Content/Document/BayBO-61 https://www.gesetze-bayern.de/Content/Document/BayBO-62 https://www.gesetze-bayern.de/Content/Document/BayBO-62 https://www.gesetze-bayern.de/Content/Document/BayBO-64 https://www.gesetze-bayern.de/Content/Document/BayBO-64 https://www.gesetze-bayern.de/Content/Document/BayBO-68 https://www.gesetze-bayern.de/Content/Document/BayBO-68 https://www.gesetze-bayern.de/Content/Document/BayBauVorlV2008 https://www.gesetze-bayern.de/Content/Document/BayBauVorlV2008 https://www.gesetze-bayern.de/Content/Document/BayDBauV https://www.gesetze-bayern.de/Content/Document/BayDBauV
Teaser	You generally need a building permit to erect, modify or change the use of a facility. Only in exceptional cases is planning permission not required.
Volltext	A building permit grants you the right to construct, modify or change the use of a facility for projects that require approval. It is a state declaration that the project does not conflict with public law, which must be

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examined in the building inspection procedure.
However, this only applies at the time of the decision.

Projects not requiring approval

A project is not subject to approval if it is exempt from procedures or is exempt from approval. Procedurally exempt projects are projects that are of minor relevance under building law. Projects that are not special buildings and comply with a qualified development plan, as well as the conversion of attics for residential purposes, may be exempt from approval (see "Related services" below). However, this depends on the municipality. If the local authority wishes an approval procedure to be carried out, the building project is not exempt from approval.

If the project does not require approval, you do not need to apply for a building permit. You would not be granted one.

Consequences of not having the required building permit

If you construct or modify a facility or change its use without the required building permit, the responsible lower building supervisory authority can intervene and take appropriate measures. This can go as far as ordering the removal of the facility.

Erforderliche Unterlagen

- current cadastral map extract
- Site plan, if applicable

Not required, provided only the alteration of structures is requested where exterior walls and roofs and use are not changed.

- Construction drawings
- if applicable, declaration of compliance with the catalogue of criteria (for form, see "Forms")

Only for special buildings, provided that the structural engineer submits such a declaration.

If the building application is submitted digitally, the

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structural engineer can also submit the declaration digitally using the online wizard (see service "Building project; online submission of the declaration of compliance with the catalogue of criteria" under "Related topics").

- Fire protection certificate, if applicable

Required only to the extent that it is subject to building inspection and is not already included in the other building submittals.

- If necessary, proof of stability

Only for special constructions, as far as the stability is checked by the building authorities.

- If necessary, information on the secured development with regard to the supply of water and energy as well as the disposal of waste water and the traffic development.

Required only if the construction project cannot be connected to a public water or power supply or to a public sewage disposal system. Also required if the building project is not located in sufficient width on a public traffic area.

- if applicable, calculation of the permissible and planned extent of building use

Only required within the scope of a development plan that contains provisions on this.

- If necessary, consent to the transfer of distance areas (for form, see "Forms")
 - any requests for derogation
 - any supporting documentation

Depending on the building project, further documents may be required, for example a tree inventory declaration. However, this is only required if requested by the municipality.

Voraussetzungen

The building permit applied for will only be granted if

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	<p>the project is subject to approval. Furthermore, the project must not conflict with any public law regulations.</p>
Kosten	<p>The fees for a building permit amount to between 1 per thousand and 4 per thousand of the building costs, depending on the type of building project and the type of approval procedure. You must also pay fees if your building application is rejected or withdrawn. In this case, however, the fees are reduced.</p> <p>If planning permission is granted for a change of use of structural facilities, the fee is between EUR 40 and EUR 5,000, depending on the administrative costs incurred.</p>
Verfahrensablauf	<p>#### Written submission</p> <p>First of all, please note that for building applications for the construction and alteration of buildings, the building documents must be prepared by an authorized draftsman (architect, civil engineer; for smaller building projects, especially detached and semi-detached houses, also master craftsmen in the building and carpentry trades and state-certified technicians in the field of civil engineering).</p> <ul style="list-style-type: none"> • If necessary, contact the municipality in whose area the building plot is located before submitting your application if you have any questions about the permissibility of your project. • Involve your neighbors by submitting the site plan and the construction drawings for their approval. Any consent must be given in writing. • Then submit the building application with the required documents **to the responsible lower building supervisory authority** (district offices, independent cities, large district towns and certain larger municipalities). • Submit the building application in triplicate using the forms provided. If the lower building supervisory authority is also the municipality, two copies are sufficient. • An oral application is not possible. • The application must be signed by the client and the authorized designer.

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- The lower building supervisory authority examines the application and decides on it.
- If the lower building supervisory authority is not itself a municipality, it involves the municipality in the decision on the municipal consent.
- Before making a decision, the lower building supervisory authority must involve the authorities whose involvement or consultation is required by law for the decision on the building application or without whose opinion the approvability of the building application cannot be assessed (e.g. the lower immission control authority, the lower water rights authority or the road traffic authority).

Digital submission

****Digital submission of building applications is not yet possible throughout Bavaria. When a location is selected, the link to the online procedure is displayed if it is already available.****

- After involving the neighbors, the building application can be submitted digitally using the online assistant.
- The predefined building application and building description forms are replaced by the queries in the online assistant.
- The building documents are uploaded to the online assistant in electronic form (files in PDF format).
- The signatures of the client and the authorized draftsman are replaced by authentication using the "BayernID" user account or "My company account".
- In particular, the (large-format) construction drawings do not need to be signed. They can therefore be generated as a file directly in the CAD system of the design author.
- In the case of building applications for which the building documents must be prepared by an authorized designer, the latter must authenticate himself and submit the building application for the client.

Bearbeitungsdauer

The processing time depends on the scope and

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	complexity of the application, the number of agencies involved and the current workload of the authority.
Frist	none
weiterführende Informationen	http://www.bauen.bayern.de/buw/bauherreninfo/index.php http://www.bauen.bayern.de/buw/bauherreninfo/index.php http://www.bauen.bayern.de/buw/baurechtundtechnik/bauordnungsrecht/index.php http://www.bauen.bayern.de/buw/baurechtundtechnik/bauordnungsrecht/index.php https://www.bauen.bayern.de/buw/bauherreninfo/bauaufsichtliches_verfahren/verfahrensfreibauvorhaben/index.php https://www.bauen.bayern.de/buw/bauherreninfo/bauaufsichtliches_verfahren/verfahrensfreibauvorhaben/index.php https://www.stmb.bayern.de/assets/stmi/buw/baurechtundtechnik/24_bautechnischenachweise_20241125.pdf https://www.stmb.bayern.de/assets/stmi/buw/baurechtundtechnik/24_bautechnischenachweise_20241125.pdf https://www.stmb.bayern.de/buw/bauherreninfo/bauaufsichtliches_verfahren/bautechnische_nachweise/index.php https://www.stmb.bayern.de/buw/bauherreninfo/bauaufsichtliches_verfahren/bautechnische_nachweise/index.php https://www.bayernportal.de/dokumente/behoerdeordner/7222125209 https://www.bayernportal.de/dokumente/behoerdeordner/7222125209
Hinweise	Under no circumstances should you start work on a project that requires approval without having applied for and obtained the necessary building permit.
Rechtsbehelf	<p>If you do not receive the building permit you applied for, you can file an administrative appeal. This must be aimed at obtaining the requested building permit.</p> <p>An objection is not possible.</p>

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Kurztext	
Ansprechpunkt	
Zuständige Stelle	
Formulare	
Ursprungsportal	BayernPortal, BayernPortal