

99012106007001

Heruntergeladen am 06.06.2025

<https://fimportal.de/xzufi-services/25999/L100042>

Modul	Sachverhalt
Leistungsschlüssel	99012106007001
Leistungsbezeichnung I	
Leistungsbezeichnung II	Building project; application for an isolated deviation from local building regulations
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 Ansprechpartner	
Fachlich freigegeben am	02.01.2025

Modul	Sachverhalt
Fachlich freigegeben durch	Bayerisches Staatsministerium für Wohnen, Bau und Verkehr (Bavarian State Ministry of Housing, Building and Transport)
Handlungsgrundlage	<a href="https://www.gesetze-bayern.de/Content/Document/Ba yBO-63">https://www.gesetze-bayern.de/Content/Document/Ba yBO-63</a> <a href="https://www.gesetze-bayern.de/Content/Document/Ba yBO-63">https://www.gesetze-bayern.de/Content/Document/Ba yBO-63</a> <a href="https://www.gesetze-bayern.de/Content/Document/Ba yBO-81">https://www.gesetze-bayern.de/Content/Document/Ba yBO-81</a> <a href="https://www.gesetze-bayern.de/Content/Document/Ba yBO-81">https://www.gesetze-bayern.de/Content/Document/Ba yBO-81</a> <a href="https://www.gesetze-bayern.de/Content/Document/Ba yDBauV">https://www.gesetze-bayern.de/Content/Document/Ba yDBauV</a> <a href="https://www.gesetze-bayern.de/Content/Document/Ba yDBauV">https://www.gesetze-bayern.de/Content/Document/Ba yDBauV</a>
Teaser	If your procedure-free project conflicts with a local building regulation, you can apply for a deviation.
Volltext	<p>Under certain conditions, you can apply for a deviation from local building regulations for your project. A deviation from local building regulations is usually dealt with together with a building application. However, you can also apply for a deviation from local building regulations for projects that do not require a procedure. In this case, an isolated decision on the deviation is issued.</p> <p>Even if a deviation from local building regulations is approved for your project, it must still comply with the remaining public law requirements.</p> <p>The deviation from local building regulations is an intended discretionary decision. If the requirements for the deviation are met, it must generally be granted, but it can also be refused in special cases.</p>
Erforderliche Unterlagen	<ul style="list-style-type: none"> <li>• current cadastral map extract</li> <li>• Site plan</li> </ul> <p>(M 1 : 1,000 or 1 : 5,000)</p> <ul style="list-style-type: none"> <li>• Construction drawings</li> <li>• if necessary, further documents</li> </ul>

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	Where necessary for the decision on the isolated variance.
Voraussetzungen	<p>You can apply for an isolated deviation from local building regulations if</p> <ul style="list-style-type: none"> <li>• your project does not require a procedure and</li> <li>• the deviations are compatible with the public interests, taking into account the purpose of the respective local building regulation and considering both legally defined overriding public interests and neighboring interests protected under public law.</li> </ul>
Kosten	The fees amount to 5% of the benefit you stand to gain from the deviation, but at least EUR 75.
Verfahrensablauf	<p>#### Written submission</p> <ul style="list-style-type: none"> <li>• Submit your application for an isolated deviation from local building regulations **to the responsible municipality**.</li> <li>• Also submit a justification and the required documents. The documents required are those that the municipality needs to be able to assess the facts of the case.</li> <li>• A specific form is not required.</li> <li>• An oral application is not possible. If the deviation affects regulations that serve to protect neighbors, you should submit the application to your neighbors before submitting it and obtain their consent.</li> <li>• The local authority will review your application and make a decision. You will receive a written decision.</li> </ul> <p>#### Digital submission</p> <p>**Digital submission of applications for isolated deviations is not yet possible throughout Bavaria. When selecting a location, the link to the online procedure will be displayed if it is already offered.*****</p> <ul style="list-style-type: none"> <li>• The application for an isolated deviation from other</li> </ul>

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	<p>building regulations can be submitted digitally using the online assistant. The documents are uploaded to the online assistant in electronic form (files in PDF format). Signatures are replaced by authentication using the "BayernID" user account or "My company account".</p> <ul style="list-style-type: none"> <li>• If the application first reaches **the lower building supervisory authority** , it is immediately forwarded **to the responsible municipality**.</li> </ul>
Bearbeitungsdauer	The processing time depends on the scope and complexity of the project as well as the current workload of the municipality.
Frist	none
weiterführende Informationen	
Hinweise	
Rechtsbehelf	You can challenge the municipality's decision on the isolated deviation from local building regulations with a complaint to the administrative court.
Kurztext	
Ansprechpunkt	
Zuständige Stelle	
Formulare	
Ursprungsportal	BayernPortal, BayernPortal