

99012097276001, 99012097276001

Applying for an exemption from a change ban to secure urban land-use planning for building projects without a procedure

Heruntergeladen am 05.07.2025

<https://fimportal.de/xzufi-services/410055961/L100008>

Modul	Sachverhalt
Leistungsschlüssel	99012097276001, 99012097276001
Leistungsbezeichnung I	Applying for an exemption from a change ban to secure urban land-use planning for building projects without a procedure
Leistungsbezeichnung II	Applying for an exemption from a change ban to secure urban land-use planning for building projects without a procedure
Typisierung	3 - Bundesaufsichtsverwaltung: Regelung
Quellredaktion	Sachsen-Anhalt
Freigabestatus Katalog	fachlich freigegeben (gold)
Freigabestatus Bibliothek	fachlich freigegeben (gold)
Begriffe im Kontext	
Leistungstyp	Leistungsobjekt mit Verrichtung

Modul	Sachverhalt
Leistungsgruppierung	Baurecht (012)
Verrichtungskennung	Ausnahmegenehmigung (276)
SDG-Informationsbereich	Kauf und Verkauf von Immobilien, einschließlich aller Bedingungen und Pflichten im Zusammenhang mit der Besteuerung, dem Eigentum oder der Nutzung von Immobilien (auch als Zweitwohnsitz)
Lagen Portalverbund	Hausbau und Immobilienerwerb (1050100), Messen, Straßenfeste und Sonderveranstaltungen (2150100), Bauplanung (2050400)
Einheitlicher Ansprechpartner	Nein
Fachlich freigegeben am	10.10.2024
Fachlich freigegeben durch	Federal Ministry of Housing, Urban Development and Building (BMWSB)
Handlungsgrundlage	https://www.gesetze-im-internet.de/bbaug/_14.html https://www.gesetze-im-internet.de/bbaug/_14.html
Teaser	You are planning a building project building project on a plot of land that is currently subject to a change ban to safeguard urban land-use planning? Then you can apply for a special permit if there are no overriding public interests to the contrary.
Volltext	<p>Building projects that do not require a procedure are building projects that do not require planning permission. You may build as long as there is no change ban.</p> <p>However, you can obtain an exemption from the change ban for your building project that does not require a building permit in order to safeguard the urban land-use planning if there are no overriding public interests to the contrary. The building permit authority will decide together with the municipality whether to approve your exception.</p> <p>Examples of public interests:</p> <ul style="list-style-type: none"> • Monument protection

Modul

Sachverhalt

- nature conservation
- environmental protection
- Townscape and landscape

The following can be affected by a change ban:

- Construction, modification and change of use of buildings,
- large-scale backfilling and excavation,
- excavations, deposits including storage sites,
- removal of structures
- significant or substantially value-enhancing changes to land and buildings, insofar as these are not subject to approval, consent or notification.

The change ban does not apply:

- Projects that were approved under building law before the change ban came into force.
- Projects of which the municipality is aware and the execution of which could have begun before the change ban came into force.
- Maintenance work and the continuation of a previously practiced use.

For building projects

- in formally defined redevelopment areas or
- in urban development areas

are subject to different regulations than building projects that are affected by a change ban to safeguard urban development planning. In this case, the building project must be approved by the municipality.

Erforderliche Unterlagen

Voraussetzungen

Kosten

There are no costs.

Verfahrensablauf

Bearbeitungsdauer

Frist

2 Jahr(e)

Modul	Sachverhalt
	Exemption is valid for 2 years and can be extended for a further 2 years.
weiterführende Informationen	
Hinweise	There are no indications or special features.
Rechtsbehelf	• Contradiction
Kurztext	<ul style="list-style-type: none"> • Change ban - to safeguard urban land-use planning Exemption for building projects that do not require a building permit • Exceptional approval for building projects that do not require planning permission but are subject to a change ban • A municipality can decide on a change ban during the preparation of a development plan • Depending on the specific definition by the municipality, a change ban can mean that: no construction measures, changes of use, demolition and significant or value-enhancing changes to the property or building structures on a certain area are not possible. Unless an exemption has been granted. • Application for exemption possible for Construction, alteration and change of use of buildings, Large-scale backfilling and excavation, Excavations and deposits including storage sites, Removal of structures and Significant or substantially value-enhancing changes to land and buildings, provided that these are not subject to approval, consent or notification. • No special permit required for: Projects that were approved under building law before the change ban came into force. Projects of which the municipality has gained knowledge in accordance with building regulations and the execution of which could have begun before the change ban came into force. Maintenance work and the continuation of a previously practiced use. • Prerequisite for exceptional approval: predominantly public interests do not conflict with the project. • Decisions on exceptions are made by the building permit authority in agreement with the municipality • Responsible: lower building supervisory authority
Ansprechpunkt	Lower building supervisory authority

Modul	Sachverhalt
Zuständige Stelle	
Formulare	
Ursprungsportal	Ausnahmegenehmigung bei einer Veränderungssperre zur Sicherung der Bauleitplanung bei verfahrensfreien Bauvorhaben beantragen, Applying for an exemption from a change ban to secure urban land-use planning for building projects without a procedure