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Heruntergeladen am 24.06.2025

<https://fimportal.de/xzufi-services/77626/L100042>

Modul	Sachverhalt
Leistungsschlüssel	99012057006000
Leistungsbezeichnung I	
Leistungsbezeichnung II	Excavation; application for a partial excavation 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 Ansprechpartner	
Fachlich freigegeben am	02.01.2025

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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/BayAbgrG-9 https://www.gesetze-bayern.de/Content/Document/BayAbgrG-9 https://www.gesetze-bayern.de/Content/Document/BayBauVorlV2008 https://www.gesetze-bayern.de/Content/Document/BayBauVorlV2008 https://www.gesetze-bayern.de/Content/Document/BayVwVfG-78a https://www.gesetze-bayern.de/Content/Document/BayVwVfG-78a http://bundesrecht.juris.de/uvpg/ http://bundesrecht.juris.de/uvpg/ https://www.gesetze-bayern.de/Content/Document/BayDBauV https://www.gesetze-bayern.de/Content/Document/BayDBauV
Teaser	You can apply for a partial excavation permit if you have submitted an excavation application but have not yet received an excavation permit. This allows you to obtain a permit for individual parts of the project in advance.
Volltext	<p>You may only start excavating once the excavation permit has been issued. This can take longer, especially for larger projects. With a partial excavation permit, you can start individual sections of the project in advance. However, this only applies to the section for which you have received the partial excavation permit.</p> <p>The part of your project that is already covered by the partial excavation permit will no longer be decided as part of the excavation permit.</p>
Erforderliche Unterlagen	<ul style="list-style-type: none"> • Site plan • Construction drawings • Building specification
Voraussetzungen	You must first apply for an excavation permit. Only

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then can you apply for a partial excavation permit for part of the project.

The partial excavation permit applied for will only be granted if the project is subject to approval. Furthermore, the part of the project for which the partial excavation permit is requested must not conflict with any regulations under public law. In addition, the lower excavation authority must determine that the overall excavation project is generally permissible. The granting of the partial excavation permit is at the discretion of the lower excavation authority.

Kosten

The fees for a partial excavation permit depend on the quantity of usable excavated material:

- For sand and gravel pits, quarries and similar excavations for the extraction of excavated material for projects with recyclable excavated material up to 50,000 m³ EUR 100 plus EUR 25 per 1,000 m³ or part thereof
- For sand and gravel pits, quarries and similar excavations for the extraction of excavated material for projects with usable excavated material over 50,000 m³ up to 500,000 m³ EUR 1,350 plus EUR 55 for every 10,000 m³ or part thereof in excess of 50,000 m³
- For sand and gravel pits, quarries and similar excavations for the extraction of excavated material for projects with usable excavated material in excess of 500,000 m³ EUR 3,825 plus EUR 110 per 500,000 m³ in excess of 50,000 m³ or part thereof
- EUR 50 to EUR 2,000 for other independent excavations

If an environmental impact assessment is to be carried out, the fee is increased by 40 %. The fee is offset against the subsequent excavation permit fee.

Verfahrensablauf

Written submission

- After submitting your excavation application, submit the partial excavation application with the required documents in writing to the lower excavation authority (district offices, independent cities) in whose area the excavation site is located.

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- A specific form is not required.
- The application must be made in writing, an oral application is not possible.
- The lower excavation authority examines the application and decides on it.

Digital submission

Digital submission of applications for partial excavation permits is not yet possible throughout Bavaria. When a location is selected, the link to the online procedure is displayed if it is already offered.

- The application for a partial excavation permit can be submitted digitally to the lower excavation authority using the online assistant.
- The excavation plan is 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".

Bearbeitungsdauer

The processing time depends on the scope and complexity of the application, the number of agencies involved and the current workload of the authority.

Frist

The partial excavation permit must be applied for before the excavation permit is issued.

weiterführende Informationen

Hinweise

A partial excavation permit can be particularly useful if you want to start excavation soon, but it is foreseeable that it will take longer to obtain the excavation permit. A granted excavation permit also contains the statement that the overall project is generally eligible for approval. In individual cases, however, you may not receive the requested excavation permit at a later date.

Rechtsbehelf

If you do not receive the partial excavation permit you have applied for, you can file an administrative appeal. This must be directed at the granting of the partial excavation permit applied for. However, it is at the discretion of the lower excavation authority to grant the partial excavation permit. In principle, you do not

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	<p>have a legal claim to the granting of the permit even if there are no public law regulations that conflict with the part of the project for which the partial excavation permit is requested.</p> <p>An objection is not possible.</p>
Kurztext	
Ansprechpunkt	
Zuständige Stelle	
Formulare	
Ursprungsportal	BayernPortal, BayernPortal