

99012022000000

Heruntergeladen am 01.07.2025

<https://fimportal.de/xzufi-services/3739/L100042>

Modul	Sachverhalt
Leistungsschlüssel	99012022000000
Leistungsbezeichnung I	
Leistungsbezeichnung II	Properties; implementation of reallocation
Typisierung	2/3 - Bund: Regelung (2 oder 3), Land/Kommune: Vollzug
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	23.01.2025

Modul	Sachverhalt
Fachlich freigegeben durch	Bayerisches Staatsministerium für Wohnen, Bau und Verkehr (Bavarian State Ministry of Housing, Building and Transport)
Handlungsgrundlage	http://bundesrecht.juris.de/bbaug/BJNR003410960.html#BJNR003410960BJNG001403301 http://bundesrecht.juris.de/bbaug/BJNR003410960.html#BJNR003410960BJNG001403301 https://www.gesetze-bayern.de/Content/Document/BayUmlegungsV https://www.gesetze-bayern.de/Content/Document/BayUmlegungsV
Teaser	The purpose of the reallocation procedure is to redesign properties in a defined area (usually the area covered by a development plan) so that they can be built on in accordance with the applicable building planning regulations.
Volltext	<p>All affected landowners are involved in this process. After the removal of public land, they receive newly cut plots of land that can be used for their intended purpose and should have at least the market value of the original plot. There is no need for a reallocation procedure if the parties involved find another mutually agreeable arrangement.</p> <p>The reallocation can be carried out within the scope of a development plan (Section 30 BauGB) or within the built-up areas (Section 34 BauGB). It is ordered and carried out by the municipality. Separate reallocation committees are formed for this purpose. The municipality can also transfer its authority to carry out the reallocation to the responsible Office for Digitization, Broadband and Surveying. The reallocation is initiated by resolution, in which all affected properties are to be listed. The resolution must be published in accordance with local custom. It has the effect of imposing a disposition and change ban. This means that significant actions (sale, construction of a building, etc.) may only be carried out with the written approval of the reallocation office. All properties located in the reallocation area then form the reallocation mass. The areas that are designated as traffic areas or other public areas (green spaces,</p>

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children's playgrounds, etc.) in the development plan are separated from this in advance. These are allocated to the municipality. New plots are created from the remaining area, which are cut in such a way that they can be built on appropriately. Each owner receives a share of these plots that corresponds as closely as possible to their share of the apportionment mass. The apportionment body can choose between a distribution according to area and a distribution according to value. If it is not actually possible to allocate a share that corresponds exactly to the exact share, compensation is made in cash.

A simplified apportionment can be carried out under the conditions of § 80 BauGB. In this case, adjoining plots of land, but not roads or parts of roads, can be redrawn.

The necessary documents are obtained by the municipality in cooperation with the relevant authorities.

Erforderliche Unterlagen

Voraussetzungen

The initiation of a reallocation procedure is the sole responsibility of the municipality.

Kosten

The allocation procedure is free of charge and expenses.

Verfahrensablauf

Bearbeitungsdauer

Frist

Deadlines and exclusion dates only exist once the reallocation procedure has been initiated. Reference is then made to this in the prescribed announcements or the notices sent.

weiterführende Informationen

Hinweise

Rechtsbehelf

Kurztext

Modul	Sachverhalt
Ansprechpunkt	
Zuständige Stelle	
Formulare	
Ursprungsportal	BayernPortal, BayernPortal