

## **Memorandum**

**To; Mayor Rob Mathis**

**Date: February 14, 2026**

**Re; Lot size Requirements Under Cocke County Zoning**

I have reviewed of the video regarding a Cocke County mayoral candidate's example of restricting the use of real property under county zoning. The allegation is that a property owner must have 5 acres to build a home located on a private drive and that a hypothetical 4.5 acre tract on Jones Way has been rendered "useless under the new zoning, and that you have to have a minimum of 5 acres to build on it" is erroneous.

I believe that he is confusing zoning with subdivision regulations. Zoning regulates land use (eg. residential, commercial, industrial) and area requirements (lot size, building setbacks, height). Subdivision regulations regulate the division of one parcel into 2 or more lots less than 5 acres in size. Subdivision regulations also address new roads (public and private) and utility infrastructure.

Under the example given, the 4.5 acre tract is a "lot of record" and a building permit can be issued. A 5 acre tract is not required to build on under current zoning.

Under the current zoning resolution, the minimum lot size requirements to obtain a residential building permit are as follows:

One acre for lots with on-site well and septic. (this is regulated by Tennessee Department of Environment & Conservation.)

3/4 acre for lots with public water and on-site septic. (regulated by TDEC.)

15,000 square feet for lots with public water and sanitary sewer.

In the event that a lot of record does not meet the minimum lot size requirement under the zoning regulations, a lot size variance may be granted by the Board of Zoning Appeals, subject to TDEC approval.

I trust that this memo provides clarification of lot size requirements and the ability for individuals to use their property. Tennessee is a “property rights” state and every effort is made to allow for the reasonable use of privately owned property.

Should further clarification be required on this issue, please feel free to contact me.

Respectfully,

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