



PUBLIC HEARING & REGULAR BUSINESS MEETING  
OF MAYOR AND COUNCIL  
CITY OF SNELLVILLE, GEORGIA  
MONDAY, FEBRUARY 24, 2025

Present: Mayor Barbara Bender, Mayor Pro Tem Tod Warner, Council Members Norman A. Carter Jr., Kerry Hetherington, Cristy Lenski, and Gretchen Schulz. Also present City Manager Matthew Pepper, City Attorney Jay Crowley with Powell and Crowley, Chief Greg Perry, Planning and Development Director Jason Thompson, Code Enforcement Officer Johnny Greene, IT Administrator Erika Fleeman and City Clerk Melisa Arnold. (Assistant City Manager Mercy Montgomery and Public Information Officer Brian Arrington were absent.)

**CALL TO ORDER**

Mayor Bender called the meeting to order at 7:40 p.m.

**INVOCATION**

Bobby Howard gave the invocation.

**PLEDGE TO THE FLAG**

Council Member Carter led the Pledge of Allegiance.

**CEREMONIAL MATTERS**

PRO 2025-05 – Recognition of Black History Month

Mayor Bender read the proclamation into the record.

**MINUTES**

Approve the Minutes of the February 8, 2025 Work Retreat and the February 10, 2025 Public Hearings and Regular Meeting

Council Member Lenski made a motion to approve the February 8, 2025 Work Retreat and the February 10, 2025 Work Session, Public Hearings and Regular Meeting, 2<sup>nd</sup> by Council Member Carter; voted 6 in favor and 0 opposed, motion approved.

**INVITED GUESTS**

None

**COMMITTEE / DEPARTMENT REPORTS**

None

**APPROVAL OF THE AGENDA**

Council Member Schulz made a motion to approve the agenda with the addition of New Business Item “b” Consideration and Action on a Sixty (60) Day Moratorium on Variances for Wall Signs and Murals, 2<sup>nd</sup> by Council Member Lenski; voted 6 in favor and 0 opposed, motion approved.

**PUBLIC HEARING**

2<sup>nd</sup> Reading – HRO 2025-01 - Home Rule Charter Amendment to the Charter of Snellville, Georgia by Amending Section 6.31 – Contracting Procedures Established By the Existing Charter

Mayor Bender explained that this charter amendment removes dollar amounts related to the purchasing policy and allows for them to be set by policy.

Council Member Hetherington made a motion to approve HRO 2025-01, 2<sup>nd</sup> by Council Member Carter; voted 6 in favor and 0 opposed, motion approved. (A copy of HRO 2025-01 is attached to and made a part of these minutes.)

2<sup>nd</sup> Reading - SUP 25-01 (ORD 2025-05) – Consideration and Action on Application by Michael Briscoe, Briscoe’s Pharmacy P.C. (d/b/a Snell’s Pharmacy) requesting a Special Use Permit for a 140 sq. ft. mural painted on the southern building elevation and variance from Sec. 207-6.2 (Definitions) of Article 7 Chapter 200 of the Snellville Unified Development Ordinance for the property zoned BG (General Business) District, 2295 Oak Road, Snellville, Georgia (Tax Parcel 5026 225)

Planning Director Thompson presented the application and advised that the Planning Department recommended denial. He answered questions of the Mayor and Council.

Applicant, Michael Briscoe, 2571 Church Street, Snellville, came forward and spoke about the application.

Mayor Bender opened the floor to public comment:

Tricia Rawlins, 2088 Harbour Oaks Drive, Snellville spoke in favor of the SUP.

No one else came forward so Mayor Bender closed public comment.

Council Member Lenski made a motion to approve SUP 25-10 referencing ORD 2025-05, 2<sup>nd</sup> by Council Member Hetherington; voted 5 in favor and 1 in opposition with Council Member Carter casting the opposing vote; motion approved. (A copy of ORD 2025-05 is attached to and made a part of these minutes.)

2<sup>nd</sup> Reading - RZ 25-01 (ORD 2025-03) – Consideration and Action on Application by Split Silk Properties, LLC, Representing Sinocoin Investment, LLC (property owner) Requesting: A) to Amend the Official Zoning Map From RS-30 (Single-Family Residential) District to R-TH (Townhouse Residential) District; And B) Request for Variances from the Snellville Unified Development Ordinance for a 67-Unit Single-Family (Attached) Townhome Development On A 17.44 +/- Acre Site with a Density of 3.84 Units Per Acre, Located Near the Intersection of U.S. Highway 78 (Athens Highway) and Rosebud Road, 3,000 Block Rosebud Road, Snellville, Georgia (Tax Parcel R5100 023)

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MONDAY, FEBRUARY 24, 2025  
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Mayor Pro Tem Warner made a motion to table RZ 25-01 until the April 14, 2025 meeting for the second reading and public hearing, 2<sup>nd</sup> by Council Member Hetherington.  
Mayor Bender explained that the applicant submitted a revised site plan last week and more time was needed for review.  
The motion was voted 6 in favor and 0 opposed, motion approved.

2<sup>nd</sup> Reading – UDO 25-01 – Consideration and Action on Amendment #8 to the Text of Chapter 200 (Zoning and Land Use) of the Snellville Unified Development Ordinance

Mayor Bender explained that this item will be tabled to address some additional changes related to alcohol being served at Special Event Facilities which also relates to the next item, ORD 2025-04, that will need to be tabled as well.  
Council Member Schulz made a motion to table to the March 10, 2025 meeting, 2<sup>nd</sup> by Council Member Carter; voted 6 in favor and 0 opposed, motion approved.

2<sup>nd</sup> Reading – ORD 2025-04 - Consideration and Action on an Ordinance to Amend the Alcoholic Beverage Ordinance (Chapter 6); To Provide for and Amend Procedures for Obtaining Special Event Licenses and Special Event Spaces to Obtain Alcohol Licenses; To Provide Severability; To Repeal Conflicting Ordinances; To Provide an Effective Date; And for Other Purposes

Council Member Carter made a motion to table until the March 10, 2025 meeting, 2<sup>nd</sup> by Mayor Pro Tem Warner; voted 6 in favor and 0 opposed, motion approved.

**CONSENT AGENDA**

None

**OLD BUSINESS**

None

**NEW BUSINESS**

Consideration and Action on House Bill 581 – Floating Homestead Exemption [Bender]

Mayor Bender explained that the City must decide whether to opt in or out of the homestead exemption by March 1<sup>st</sup> and explained the impact of opting in versus opting out.

Council Member Lenski made a motion to approve RES 2025-03 to opt out of the exemption, 2<sup>nd</sup> by Council Member Carter.

Mayor Bender opened the floor to public comment but no one came forward so public comment was closed.

Mayor and Council each spoke about the issue.

The motion was voted 2 in favor and 4 opposed with Council Members Lenski and Carter voting in favor and Council Members Schulz, Hetherington, Mayor Pro Tem Warner and Mayor Bender each voting in opposition; the motion failed.

Mayor Bender explained that since the resolution failed to be adopted the City is opting into the floating homestead exemption.

Consideration and Action on a Moratorium on Variance Applications for Wall Signs and Murals [Bender]

Council Member Lenski made a motion to approve a moratorium on applications for Wall Signs and Murals until August 16, 2025, 2<sup>nd</sup> by Mayor Pro Tem Warner; voted 6 in favor and 0 opposed, motion approved. (A copy of RES 2025-04 is attached to and made a part of these minutes.)

**COUNCIL REPORTS**

Council Members Carter, Hetherington, Lenski, Schulz and Mayor Pro Tem Warner each gave a report.

**MAYOR'S REPORT**

Mayor Bender gave a report.

**PUBLIC COMMENTS**

The following people came forward to speak:  
Kurt Schulz, 2027 Tanglewood Drive, Snellville.  
Tricia Rawlins, 2088 Harbour Oaks Drive, Snellville.  
Bobby Howard, 2240 Pinehurst Road, Snellville.  
Melvin Everson, 1725 Winding Creek Circle, Snellville.

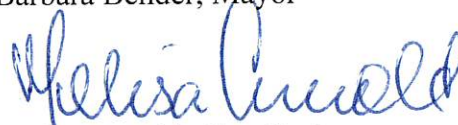
**EXECUTIVE SESSION**

None

**ADJOURNMENT**

Council Member Hetherington made a motion to adjourn, 2<sup>nd</sup> by Council Member Schulz; voted 6 in favor and 0 opposed, motion approved. The meeting adjourned at 8:49 p.m.

  
Barbara Bender, Mayor

  
Melisa Arnold, City Clerk

HRO 2025-01

City of Snellville  
Gwinnett County, Georgia

A HOME RULE ORDINANCE TO AMEND SECTION 6.31 OF THE CHARTER OF THE CITY OF SNELLVILLE; TO PROVIDE FOR PROCEDURE FOR CITY MANAGER PURCHASING AUTHORITY; TO PROVIDE THAT CONTRACTS BE ATTESTED BY CITY CLERK; TO REPEAL CONFLICTING PROVISIONS OF THE CHARTER; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Section 6.31 "Contracting Procedures" contained in the City Charter of the City of Snellville is hereby deleted in its entirety and the following is inserted in lieu thereof:

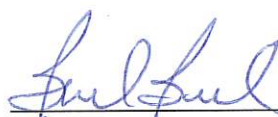
The City Council may by ordinance establish contracting procedures; provided, however, that no contract with the City shall be binding on the City unless:

1. It is in writing;
2. It is drawn by or submitted and reviewed by the City Attorney, and as a matter of course, is signed by the City Attorney to indicate approval of the form;
3. It is reviewed as to substance by the City Manager and the director of the department most affected by the contract, signed by the Mayor or signed by the City Manager, with Council consent or if it is under the City Manager's purchasing limit;
4. The Mayor and City Council may authorize the City Manager to purchase items and enter into contracts for amounts to be prescribed in the City's purchasing policy, as approved by the Mayor and City Council and said purchases and contracts shall be authorized by the City Council, and such approval is entered in the City Council journal of proceedings pursuant to Section 2.20; and

5. It is attested to by the City Clerk.

1. All ordinances or parts of ordinance in conflict with this amendment are hereby repealed.
2. This ordinance shall be effective upon the date of its adoption set forth below.

**ORDAINED** this 24 day of Feb, 2025.



Barbara Bender, Mayor



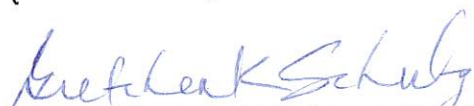
Kerry Hetherington, Council Member



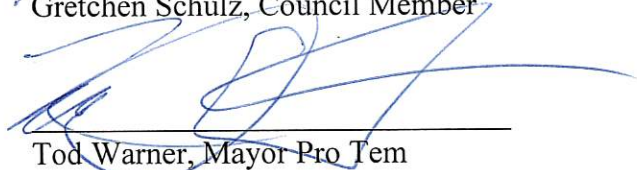
Cristy Lenski, Council Member



Norman Carter, Council Member

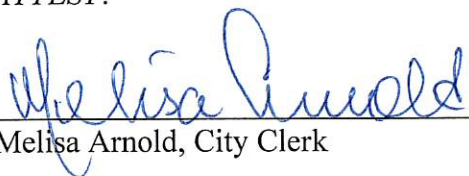


Gretchen Schulz, Council Member



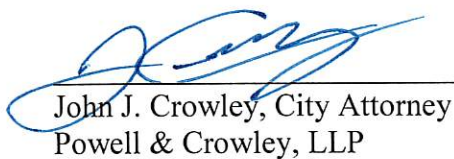
Tod Warner, Mayor Pro Tem

*ATTEST:*



Melisa Arnold, City Clerk

*APPROVED AS TO FORM:*



John J. Crowley, City Attorney  
Powell & Crowley, LLP

**STATE OF GEORGIA**

**CITY OF SNELLVILLE**

**ORD 2025-05**

AN ORDINANCE TO GRANT A SPECIAL USE PERMIT APPROVAL FOR A 7-FEET HIGH BY 10-FEET WIDE (140± SQ. FT.) GRAPHIC PAINTED ON THE SOUTHERN BUILDING ELEVATION OF SNELL'S PHARMACY, 2295 OAK ROAD, SNELLVILLE.; TO PROVIDE FOR SEVERABILITY; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

**CASE NUMBER:** #SUP 25-01

**APPLICANT/PROPERTY OWNER:** Michael Briscoe, Briscoe Pharmacy Holdings, LLC (dba Snell's Pharmacy)

**LOCATION:** 2295 Oak Road, Snellville, Georgia (the "Property")

**TAX PARCEL:** R5026 225

**DEVELOPMENT/PROJECT:** Snell's Pharmacy install of a Wall Mural

**CONTACT:** Michael Briscoe  
2295 Oak Road  
Snellville, Georgia 30078  
770-972-0700

**WHEREAS**, the governing authority of the City of Snellville, Georgia is the Mayor and Council thereof; and

**WHEREAS**, a Mural is defined as:  
"any piece of artwork painted or applied directly on a wall, ceiling or other large permant surface. A particularly distinguishing characteristic or mural painting is that the architectural elements of the given space are harmoniously incorporated into the picture",

**WHEREAS**, the Mayor and City Council find that the definition of "Mural" can

be interpreted different ways and the Council desires to give the Applicant the benefit of the doubt; and

**WHEREAS**, the Mayor and City Council find that the Applicant's design showcases a historical logo of the City of Snellville; and

**WHEREAS**, the governing authority of the City of Snellville, Georgia desires to amend its official zoning map as it applies to the 0.47± acre tract of land located at 2295 Oak Road, Snellville, Georgia (Tax Parcel R5026 225) and grant the requested special use for a 7-foot high by 10 feet wide graphic painted on the southern building elevation; and,

**WHEREAS**, the health, safety, and welfare of the citizens of Snellville, Georgia, will be positively impacted by the adoption of this Ordinance; therefore:

**IT IS HEREBY ORDAINED BY THE GOVERNING AUTHORITY OF THE CITY OF SNELLVILLE, GEORGIA**, and by the authority thereof:

**Section 1.** For reasons stated in the public hearing a special use permit is hereby granted use for a 7-foot high by 10 feet wide graphic painted on the southern building elevation of Snell's Pharmacy on the 0.47± acre tract of land located at 2295 Oak Road, Snellville, Georgia (Tax Parcel R5026 225) as depicted in Exhibit "A" given the historical character of the logo and the potential confusion in the definition of "Mural."

**Section 2.** It is noted that all further "Murals" must be directly painted onto the wall of the building and not on any raised surfaces.

**Section 3.** The preamble of this Ordinance shall be considered to be and is hereby incorporated by reference as if fully set forth herein.

**Section 4.** The changes in zoning classification is to be noted on the Official Zoning Map of the City of Snellville, Georgia as approved by the Mayor and Council as



soon as reasonably possible following the adoption of this Ordinance. The Official Zoning Map of the City of Snellville, Georgia, shall also be amended with an editorial note specifying the date these Snellville zoning amendments were approved by the Mayor and Council and specifying the parcels affected by this Ordinance. Until the changes are indicated on the Official Zoning Map of the City of Snellville, Georgia, as approved by the Mayor and Council, this Ordinance shall govern over Official Zoning Map of the City of Snellville, Georgia approved by the Mayor and Council to the extent of any discrepancy between this Ordinance and the Official Zoning Map of the City of Snellville, Georgia approved by the Mayor and Council.

**Section 5.** (a) It is hereby declared to be the intention of the Mayor and Council that all sections, paragraphs, sentences, clauses and phrases of this Ordinance are or were, upon their enactment, believed by the Mayor and Council to be fully valid, enforceable and constitutional.

(b) It is hereby declared to be the intention of the Mayor and Council that, to the greatest extent allowed by law, each and every section, paragraph, sentence, clause or phrase of this Ordinance is severable from every other section, paragraph, sentence, clause or phrase of this Ordinance. It is hereby further declared to be the intention of the Mayor and Council that, to the greatest extent allowed by law, no section, paragraph, sentence, clause or phrase of this Ordinance is mutually dependent upon any other section, paragraph, sentence, clause or phrase of this Ordinance.

(c) In the event that any phrase, clause, sentence, paragraph or section of this Ordinance shall, for any reason whatsoever, be declared invalid, unconstitutional or otherwise unenforceable by the valid judgment or decree of any court of competent

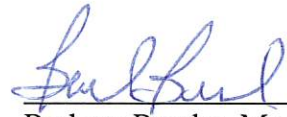
jurisdiction, it is the express intent of the Mayor and Council that such invalidity, unconstitutionality or unenforceability shall, to the greatest extent allowed by law, not render invalid, unconstitutional or otherwise unenforceable any of the remaining phrases, clauses, sentences, paragraphs or sections of the Ordinance and that, to the greatest extent allowed by law, all remaining phrases, clauses, sentences, paragraphs and sections of the Ordinance shall remain valid, constitutional, enforceable, and of full force and effect.


**Section 6.** All ordinances and parts of ordinances in conflict herewith are hereby expressly repealed.

**Section 7.** This Ordinance was adopted on Feb. 24, 2025. The effective date of this Ordinance shall be the date of adoption unless otherwise stated herein.

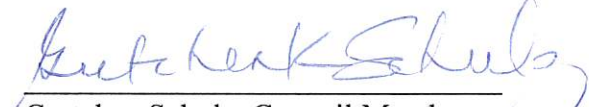
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ORDAINED this 24 day of February, 2025.

  
\_\_\_\_\_  
Barbara Bender, Mayor

  
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Tod Warner, Mayor Pro Tem

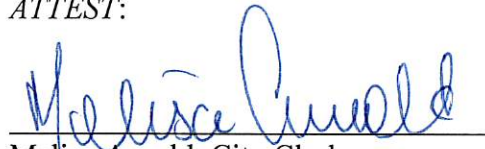
  
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Cristy Lenski, Council Member

  
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Gretchen Schulz, Council Member

  
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Kerry Hetherington, Council Member

  
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Norman Carter, Council Member

ATTEST:

  
\_\_\_\_\_  
Melisa Arnold, City Clerk

APPROVED AS TO FORM:

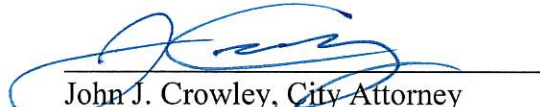
  
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John J. Crowley, City Attorney  
Powell & Crowley, LLP

EXHIBIT "A"

RECEIVED  
NOV 7 2024  
CITY OF SNELLVILLE  
PLANNING & DEVELOPMENT

 PHARMACY

 Est. 1956  
PHARMACY





*Snell's*  
Est. 1956  
**PHARMACY**

*Snell's*



Est. 1956

**PHARMACY**

**STATE OF GEORGIA**

**CITY OF SNELLVILLE**

**RES 2025-04**

**RESOLUTION TO ENACT A MORATORIUM PROHIBITING THE ACCEPTING OF APPLICATIONS FOR PERMITS ON MURALS AND VARIANCES OF WALL SIGNS**

WHEREAS, the Mayor and Council desire to enact a moratorium prohibiting accepting applications for murals and variances on wall signs as defined by the Unified Development Ordinance (“UDO”); and

WHEREAS, the Mayor and Council desire to enact a moratorium for the purpose of allowing for adequate consideration of potential amendments to the UDO related to murals and wall signs; and

WHEREAS, the Mayor and Council have determined that the moratorium period should be for a period of adoption until August 15, 2025; and

WHEREAS, the Mayor and Council have determined that this moratorium should be effective upon adoption without delay.

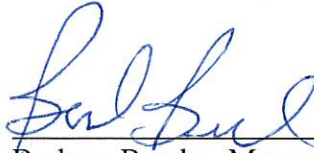
IT IS HEREBY RESOLVED, by the Mayor and Council of the City of Snellville that a moratorium is hereby imposed prohibiting the accepting of any application for murals and variances on wall signs, as defined in the UDO. This moratorium shall commence on February 25, 2025 and end on August 15, 2025.

The Department of Planning and Zoning is hereby directed not to issue any permits or accept any applications relating to same.

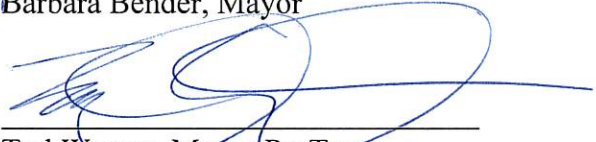
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SO RESOLVED this 24 day of February, 2025.



Barbara Bender, Mayor



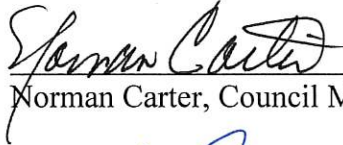
Tod Warner, Mayor Pro Tem



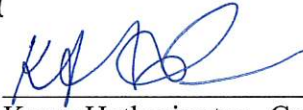
Cristy Lenski, Council Member



Gretchen Schulz, Council Member

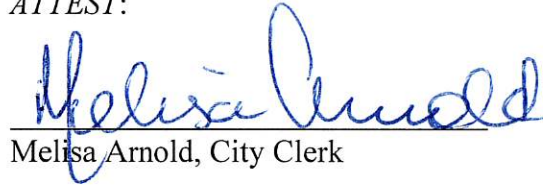


Norman Carter, Council Member



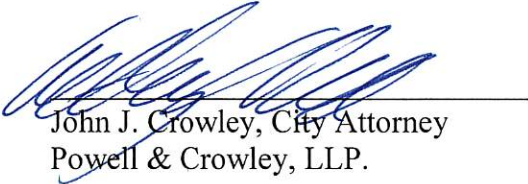
Kerry Hetherington, Council Member

ATTEST:



Melisa Arnold, City Clerk

APPROVED AS TO FORM:



John J. Crowley, City Attorney  
Powell & Crowley, LLP.