



JEFFERSON COUNTY, WEST VIRGINIA
Department of Engineering, Planning and Zoning
Office of Planning and Zoning
116 East Washington Street, 2nd Floor
P.O. Box 716
Charles Town, West Virginia 25414

File #: 22-6-CUP
R'cvd Date: 08 / 24 / 22
Mtg. Date: 09 / 22 / 22
Fee Paid: \$ 300.00
Staff Int.: jth

Email: zoning@jeffersoncountywv.org

Phone: (304) 728-3228
Fax: (304) 728-8126

Application for a Conditional Use Permit

Project Name Mission Critical Defense Solutions (MCDS) LLC
FEL Application / Permit

Property Owner Information

Name: Elliott A Kutter
Business Name: Pine Run Ranch LLC
Mailing Address: 273 Equestrian Circle Shenandoah Jct WV 25442 Mail ☒ Yes
Phone Number: 304 582 9525 Email Response: Kutterelliott@gmail.com Response: ☐ No

Applicant Information

Name: Elliott A Kutter
Business Name: Mission Critical Defense Solutions LLC
Mailing Address: 273 Equestrian Circle Shenandoah Jct WV 25442 Mail ☒ Yes
Phone Number: 304-582-9525 Email Response: Kutterelliott@gmail.com Response: ☐ No

Engineer(s), Surveyor(s), or Consultant(s) Information

Name: N/A
Business Name: N/A
Mailing Address: N/A Mail ☐ Yes
Phone Number: N/A Email Response: N/A Response: ☐ No

Physical Property Details

Physical Address: 500 FEBREY RD Kearneysville WV 25430
Tax District: Middletown Map No: M-2 Parcel No: 3
Parcel Size: 116 Acres Deed Book: ~~115-1~~ 1287 jth Page No: ~~106~~ 285 jth

Zoning District (please check one)

Residential Growth (RG)	Industrial Commercial (I-C)	Rural* (R)	Residential-Light Industrial-Commercial (R-LI-C)	Village (V)	Neighborhood Commercial (NC)
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
General Commercial (GC)	Highway Commercial (HC)	Light Industrial (LI)	Major Industrial (MI)	Planned Neighborhood Development (PND)	Office/Commercial Mixed-Use (OC)
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

* For properties in the Rural Zoning District:

Is property located on a primary or secondary road?

☒ Yes ☐ No

Name of Road and/or Route Number: Febrey Rd

State the proposed land use as listed in Appendix C and provide a description of the proposed use.

Retail Sales & Service (General)

Please provide any information or known history regarding this property.

This was an old Beef Cattle Ranch about 20 some years ago. There is an existing and in good shape barn on the property. There is a lot of over grown bushes, shrubs, & trees.

Please respond in detail to the following questions to show how the proposed project complies with the criteria located in Section 6.3 of the Zoning Ordinance:

1. How is the proposed use compatible with the goals of the adopted Comprehensive Plan? Section 6.3A.1

Comprehensive Plan supports the Conditional Use Permit Process for non-residential uses in the rural district.

2. How is the proposed use compatible in intensity and scale with the existing and potential land uses on surrounding properties? How will the proposed project mitigate potential threat to public health, safety, and welfare? Sec. 6.3A.2

The business will be using the existing building that is on the property originally for Documentation/Storage. In the future (10 year plan) the property will have a new building to support the business as it scales. Continued in detail on Back.

3. Describe how the proposed site development will be designed such that the use will not hinder nor discourage the appropriate development and use of adjacent land and buildings. Section 6.3A.3

The Business will adhere to all requirements/restrictions as well as best safety practices. The land itself on the other end of the property will remain a newly restored Beef Cattle Ranch. Continued on Back.

4. Neighborhood character and surrounding property values shall be safeguarded by requiring implementation of the landscaping buffer requirements found in Appendix B and Section 4.11 of this Ordinance. Section 6.3A.4

☒ I am aware of the landscaping buffer requirements and will adhere to them.

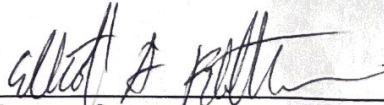
☐ I am aware of the landscaping buffer requirements; however, I may be seeking a variance to modify them.

5. For properties in the Rural zoning district, roadway adequacy shall be assessed by the Comprehensive Plan's Highway Road Classification Map. If a rural parcel is not shown as commercial on the Future Land Use Guide or does not front on a Principal Arterial, Minor Arterial, or Major Collector road (as identified in the Comprehensive Plan), the applicant shall submit trip generation data, including Average Daily and Peak Hour trips, for the Board of Zoning Appeals to review in conjunction with the Highway Problem Areas Map when determining roadway adequacy for the proposed use. Section 6.3A.6

☐ Applicable (Trip Generation Data attached)

☒ Not Applicable

The information given is correct to the best of my knowledge. Original Signature Required.


Property Owner

8/23/2022
Date

Property Owner

Date

Zoning

From: Elliott Kletter <kletterelliott@gmail.com>
Sent: Wednesday, August 24, 2022 2:58 PM
To: Zoning
Cc: missioncriticaldefensesolution@gmail.com
Subject: MCDS Conditional Use Permit Application
Attachments: KletterFebreyRdReport Site Sketch.pdf; 500 Febrey Rd 20220805.pdf; Conditional Use Permit Application .pdf

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or on clicking links from unknown senders.

Alex,

as we have discussed on the phone before; Mission Critical Defense Solutions (MCDS) LLC is requesting a conditional use permit at 500 Febrey Road Kearneysville WV 25430.

I have all required attachments based on the application.

Please let me know if I need to provide additional information.

I look forward to your response if what I have provided is sufficient for the 9/22/2022 hearing.

Thanks

Narrative (Recap):

MCDS is applying for an Federal Firearms License (FFL) to support local county, state, & federal law enforcement agencies, as well as military components. MCDS is currently supporting said agencies above, but is missing a key component, the ability to sell firearms. MCDS does not plan and has not applied for any "manufacturing" of firearms at this time.

Currently the land is owned by Pine Run Ranch LLC which is owned by me Elliott A Kletter. MCDS will be leasing no more than 1 acre from Pine Run Ranch LLC to operate its corporate headquarters out of. The remaining land will be restored to its original use of cattle ranching. In the future (10 year plan) MCDS will be adding an additional building to the property to better suit its growth and customer needs. Currently, MCDS is owned by 3 people which includes myself. MCDS has no employees. MCDS will have no open hours to the public, but only to its customers. There are no set hours, this is based on specific Service Level Agreements (SLA's), with each customer.

In regards to traffic there should be minimal traffic increase since the address will only operate as the company's HQ for storage and documentation purposes. All business will typically be delivered to customers at their location. No signs will be posted either on the property that the general public would be able to see from the road or adjoining property owners.

List of adjoining property owners to the best of my ability using the [Jefferson County West Virginia Tax Map Viewer \(wvassessor.com\)](http://wvassessor.com) site, based on the most recent tax year.

Deeded Owner: COOPER OTTOWAY & MONTCELLO
C/O:
Owner Address: 14443 WARRENTON RD
City: FREDERICKSBURG
State: VA
Zip: 22406
Deed Book/Page: 819/685

Deeded Owner: MCINTOSH MARTHA A
C/O:
Owner Address: 4529 BOWER RD
City: KEARNEYSVILLE
State: WV
Zip: 25430
Deed Book/Page: 280/230

Deeded Owner: WHITMORE JAY A
C/O:
Owner Address: 1985 GLEASON RD
City: PIKETON
State: OH
Zip: 45661
Deed Book/Page: 1270/57

Deeded Owner: TATTERSON THOMAS J
C/O:
Owner Address: 176 CASTANEA DR
City: MARTINSBURG
State: WV
Zip: 25403
Deed Book/Page: 295/336

Deeded Owner: KNOCK KATHLEEN C
C/O:
Owner Address: 3561 BOWERS RD
City: KEARNEYSVILLE
State: WV
Zip: 25430
Deed Book/Page: 1229/595

Deeded Owner: RHODES CHRISTOPHER & MARYBETH
C/O:
Owner Address: 92 MOONSTONE DR
City: KEARNEYSVILLE
State: WV
Zip: 25430
Deed Book/Page: 1269/646

Deeded Owner: GALLAGHER CASS & CAROL L
C/O:
Owner Address: 120 MOON STONE DR

City: KEARNEYSVILLE
State: WV
Zip: 254302675
Deed Book/Page: 1275/205

Deeded Owner: NORIEGA SHAIA K
C/O:
Owner Address: 154 MOONSTONE DR
City: KEARNEYSVILLE
State: WV
Zip: 25430
Deed Book/Page: 1271/221

Deeded Owner: HESSLER SHERRY
C/O:
Owner Address: 182 MOON STONE DR
City: KEARNEYSVILLE
State: WV
Zip: 254302675
Deed Book/Page: 1283/667

Deeded Owner: JH REAL ESTATE LLC
C/O:
Owner Address: 3029 ROHRBAUGH RD
City: SEVEN VALLEYS
State: PA
Zip: 17360
Deed Book/Page: 1229/655

Deeded Owner: DAN RYAN BUILDERS INC
C/O:
Owner Address: 60 THOMAS JOHNSON DR
City: FREDERICK
State: MD
Zip: 21702
Deed Book/Page: 1111/132

Deeded Owner: ILA PROPERTIES INC
C/O:
Owner Address: 4115 CHARLES TOWN RD
City: KEARNEYSVILLE
State: WV
Zip: 25430
Deed Book/Page: 1202/398

Deeded Owner: ILA PROPERTIES INC
C/O:
Owner Address: 4115 CHARLES TOWN RD
City: KEARNEYSVILLE
State: WV
Zip: 25430

Deed Book/Page: 1202/398

Deeded Owner: POTOCHAK JENNIFER & MARTIN SULSKY

C/O:

Owner Address: 346 MOON STONE DR

City: KEARNEYSVILLE

State: WV

Zip: 254302651

Deed Book/Page: 1279/260

Deeded Owner: KELSEY RICHARD A & DEANNA M

C/O:

Owner Address: 372 MOON STONE DR

City: KEARNEYSVILLE

State: WV

Zip: 254302651

Deed Book/Page: 1282/381

Deeded Owner: WALBERG JOHN C & JULIE

C/O:

Owner Address: 396 MOONSTONE DR

City: KEARNEYSVILLE

State: WV

Zip: 25430

Deed Book/Page: 1270/262

Deeded Owner: WILLIAMS ELROY & SARA L

C/O:

Owner Address: 428 MOON STONE DR

City: KEARNEYSVILLE

State: WV

Zip: 254302685

Deed Book/Page: 1281/553

Deeded Owner: ILA PROPERTIES INC

C/O:

Owner Address: 4115 CHARLES TOWN RD

City: KEARNEYSVILLE

State: WV

Zip: 25430

Deed Book/Page: 1202/398

Deeded Owner: DAN RYAN BUILDERS INC

C/O:

Owner Address: 60 THOMAS JOHNSON DR

City: FREDERICK

State: MD

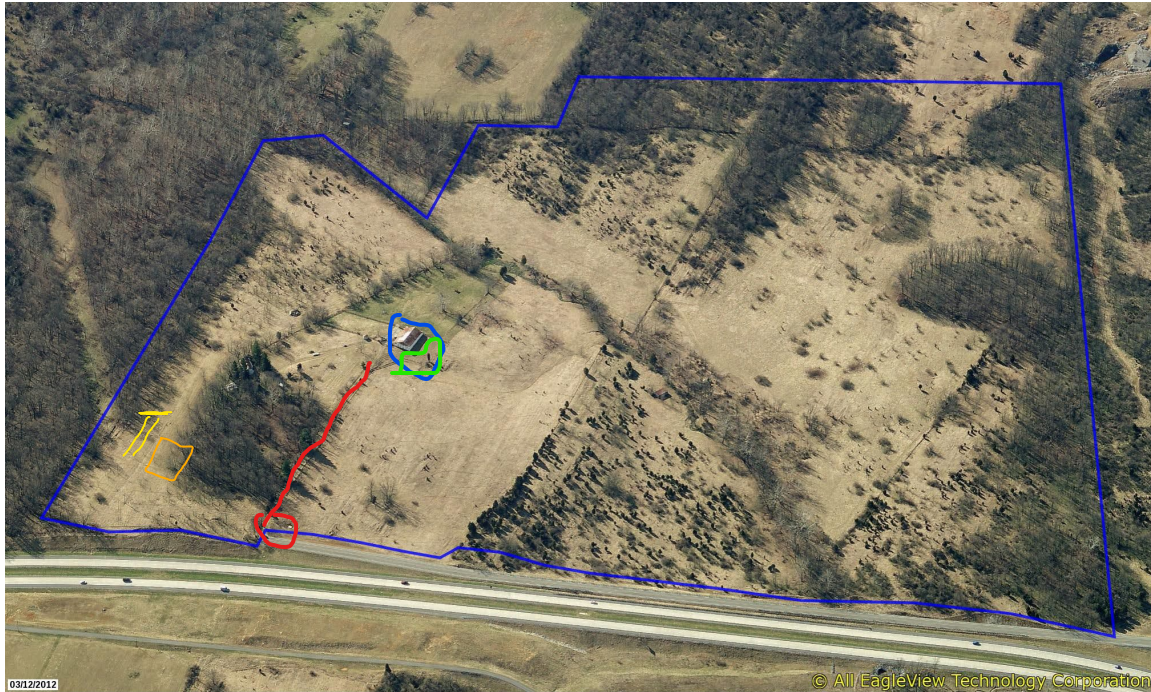
Zip: 21702

Deed Book/Page: 1111/132

--

Elliott Kletter

- Red circle is access area off of Febrey Road, and line is access way to barn.
- Blue Circle is around proposed Barn to be used in the mean-time, until new building is built.
- Green area is where I typically park and where customers would ideally park as well.
- Orange box, is proposed new building in time (not to scale)
- Yellow, is proposed shooting lane with 12' burm (Dirt) and natural tree buffer, along with additional rubber back stops before the burm.



Aerial View of Subject Property Looking South



Aerial View of Subject Property Looking West