

DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA  
FOURTH DISTRICT

**CHARLES FITZ,**  
Appellant,

v.

**CITY OF VERO BEACH, FLORIDA,**  
Appellee.

No. 4D16-1587

[February 9, 2017]

Appeal from the Circuit Court for the Nineteenth Judicial Circuit,  
Indian River County; Paul B. Kanarek, Judge; L.T. Case No.  
312015CA000266.

D. John Rhodeback, J. Garry Rooney and Matthew Randall Groom of  
Rooney & Rooney, P.A., Vero Beach, for appellant.

John W. Frost, II and Nicholas T. Zbrzezny of Frost Van Den Boom, P.A.,  
Bartow, for appellee.

PER CURIAM.

*Affirmed.*

WARNER, GERBER and KUNTZ, JJ., concur.

\* \* \*

***Not final until disposition of timely filed motion for rehearing.***